

suggest, by word or sign or gesture, how such voter shall vote; that they will confine their assistance to answering his questions, to naming candidates, and the political parties to which they belong, and that they will prepare his ballot as such voter himself shall direct; provided that the voter must in every case explain in the English language how he wishes to vote, and no judge of the election shall use any other than the English language in aiding the voter, or in performing any of his duties as such judge of the election, and in all cases where assistance is given hereunder, two judges of the election shall assist such voter, they having been first sworn that they will not suggest by word, sign, or gesture how such voter shall vote; that they will confine their assistance to answering his questions in the English language, to naming candidates and, if the voting be at a general election, to naming the parties to which such candidates belong, and that they will prepare the ballot as such voter directs, in the English language; and where any assistance is rendered in preparing a ballot other than as herein allowed, the ballot shall not be counted, but shall be void for all purposes. If the election be a general election, the judges who assist such voters shall be different political parties, if there be such judges present, and if the election be a primary election, a supervisor, or supervisors, may be present, when the assistance herein permitted is being given, but such supervisor or supervisors must remain silent except in cases of irregularity or violation of the law.

Section 2. Article 258. Any judge or other officer at an election who assists any voter to prepare his or her ballot, except when a voter is unable to prepare the same on account of blindness or some bodily infirmity such as renders him unable to write, or is over sixty years of age, or who shall aid such voter by using any other than the English language, or shall violate any of the provisions of Article 3003 as amended by this Act, shall be deemed guilty of a misdemeanor; and any judge or other officer of an election who, in assisting a voter so incapacitated, or over sixty years of age, in the preparation of his or her ballot, shall prepare the same otherwise than such voter shall direct in

the English language, shall be deemed guilty of a misdemeanor. Any person convicted under this Article shall be punished by a fine of not less than \$200 and not more than \$500, or by confinement in the county jail for not less than two months and not more than twelve months, or both by such fine and imprisonment.

Section 3. The importance of this legislation, and the fact that the calendars of both Senate and House of Representatives are very much crowded and the near approach of the end of the session creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### FORTY-SECOND DAY.

Senate Chamber,

Austin, Texas, March, 12, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorough.

Petitions and Memorials.

See Appendix.

**Standing Committee Reports.**  
See Appendix.

**Special Committee Report.**

Committee Room.

Austin, Texas, March 10, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your committee, appointed to investigate and audit the Treasury Department, as provided in Simple Resolution No. 84, after conferring with various auditors and making inquiry as to the time and expense which will be necessary to make this investigation, find that it will take the auditors about three months to do the work, at a probable cost of Three Thousand Dollars (\$3,000.00), and that this session of the Legislature will adjourn in a few days; therefore, we your committee thought best to make this statement to the Senate, in order that the Senate may understand the situation, and if it desires the investigation to proceed and a report to be filed at a later session, to so authorize your committee.

Respectfully submitted,

SUITER, Chairman.

**Senate Resolution No. 92.**

Whereas, Hon. V. A. Collins of Beaumont, formerly a Senator from the Fourteenth Senatorial District is in the city.

Therefore, Be it Resolved, That he be extended the privilege of the floor and invited to address the Senate.

COUSINS,  
SMITH.

The resolution was read and adopted and the Chair appointed a committee of courtesy.

**House Bill No. 277.**

Senator Smith moved to reconsider the vote by which House Bill No. 277 was passed.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 277, A bill to be entitled "An Act creating and incorporating Harrisburg Independent School Dis-

trict in Harris County, Texas, out of the territory now composing Common School District No. 20, of said county, providing that the title of the school property vested in said Common School District No. 20, shall vest in said Harrisburg Independent School District, and that said independent school district assume the debts of said Common School District No. 20; providing for a board of trustees of said Harrisburg Independent School District."

Senator Smith offered the following amendments which were read and adopted by unanimous vote:

**Amendment No. 1:**

Amend House Bill No. 277 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That an independent school district is hereby created and established in Harris County, Texas, to be known as Harrisburg Independent School District, which said district shall comprise the same territory as the common school district now known as Common School District No. 20, in Harris County, Texas, as recorded in Book R, page 155, of the School District Records for said county, the metes and bounds of said Harrisburg Independent School District to be as follows:

Beginning at the northeast corner of the Callahan and Vince League on the south bank of Buffalo Bayou; thence westerly along Buffalo Bayou to the southeast corner of the John Brown league; thence north along the east line of John Brown league to the northwest corner of the J. H. Callahan survey; thence west to the east line of the limits of the City of Houston, thence south along the east line of the City of Houston and the center line of Main Avenue in Port Houston to the north bank of Buffalo Bayou; thence across said bayou to the intersection of the easterly extension of the north line of blocks 138, 147, 156 of Magnolia Park with Buffalo Bayou; thence west along said easterly extension of the north line of blocks 156, 147, and 138 Magnolia Park and the north line of said blocks to the north line of Avenue O in Magnolia Park; thence west to the southeast corner of block 139 Magnolia Park; thence north along the east line of blocks 139, 149, 159, 169, and 179 Magnolia Park to the south bank of Buffalo

Bayou; thence up said Bayou with its meanders to the west line of the H. B. & T. Ry. right of way following the north line of the City of Magnolia Park; thence southwesterly along the east line of said railroad to the south line of the Harrisburg road; thence easterly along the south line of the Harrisburg road to a northerly extension of the east line of the Luke Moore survey; thence southwesterly following said line to Brays Bayou; thence up Brays Bayou with its meanderings to the east line of the Gulf Colorado and Santa Fe Railroad; thence southerly along the east line of said Gulf Colorado & Santa Fe Railroad to the south line of the Luke Moore league; thence northwesterly along the south line of the Luke Moore league to the northwest corner of the John E. Durkee survey; thence southerly along the west line of the J. E. Durkee survey to the Southwest corner of the Samuel D. Waltham survey; thence easterly along the south line of the S. D. Waltham survey to the northwest corner of the E. R. Hale survey; thence southerly to the southwest corner of the said E. R. Hale survey; thence easterly along the south line of said E. R. Hale survey to the west line of the Gulf Colorado & Santa Fe Railroad right-of-way; thence southerly along the west line of said railroad right-of-way to where it crosses Simms Bayou; thence down said bayou to the east line of Henry B. Prentice and the west line of the John R. Harris survey; thence south along the west line of the Harris and the east line of the Prentice survey to the southwest corner of the John R. Harris survey; thence east to the southeast corner of the John R. Harris survey; thence north to the southwest corner of the Callahan & Vince survey; thence east to the southwest corner of the Calahan & Vince survey thence north along the east line of the Callahan & Vince survey to the place of beginning.

Sec. 2. The said Harrisburg Independent School District is hereby incorporated and made a body corporate in law for free school purposes only, and all powers, duties and privileges of the Board of Trustees and all rights, powers and privileges of the Harrisburg Independent School District not herein specified shall be governed by the General Laws of the State of Texas governing

Independent School Districts incorporated for school purposes.

Sec. 3. The management and control of the public free schools of said Harrisburg Independent School District is hereby vested in a Board of Trustees that shall be composed of five (5) persons who are resident citizens and qualified voters within said district, the manner of their election and tenure of office to be as follows:

Whereas, The said Harrisburg Independent School District is composed almost entirely of four voting precincts, viz.: Harrisburg Precinct No. 43, Park Place Precinct No. 33, Magnolia Park Precinct No. 34, and Brookline Precinct No. 91, and whereas a distribution of trustees by said precincts will conduce to a more equitable apportionment of funds to the various schools of said school districts; therefore, it is enacted that one of said trustees shall be chosen from and by the qualified voters of each of said precincts and one shall be chosen from the district at large; all of said trustees shall be elected on the first Saturday in May, 1919, two of whom shall hold office for a period of two years and until their successors are elected and qualified, and three of whom shall hold office for a term of one year and until their successors are elected and qualified. When elected, said trustees shall determine by lot among themselves which two shall hold office for two years and which three shall hold office for one year. Beginning with the first Saturday in May, 1918, and every year thereafter an election shall be held by the qualified voters of said Harrisburg Independent School District, or in such election precinct where a term shall expire, for the purpose of electing two or three trustees as the case may be, and the term of said trustees, when elected, shall be two years and until their successors shall have been elected and qualified. It is expressly enacted that this Act shall not operate to effect the tenure of office of the trustees of Common School District No. 20 until the trustees above provided for shall have been duly elected and qualified, and said board of trustees of Common School District No. 20 shall, when this Act becomes a law, be and become the school board of the Harrisburg Independent School District

and shall exercise all the powers and duties in the control and management of the public free schools of the Harrisburg Independent School District herein provided for, until their successors have been elected in May, 1919, and shall have qualified as provided in this Act; in case of failure or inability of any of election precincts to elect the trustee herein provided for, the trustees elected from the other precincts and the district at large shall constitute the board for the district; said present board of trustees shall immediately appoint an Assessor and Collector of Taxes, who shall exercise all the duties provided for such Assessors and Collectors in such districts.

Sec. 4. It is expressly provided that the board of trustees of Harrisburg Independent School District shall be authorized to appoint a board of equalization consisting of three persons, who shall not be members of the board of trustees, and such board of equalization shall exercise such powers concerning the equalization of property in said district taxed for school purposes as is exercised by boards of equalization over property taxed for State and county purposes and shall fix the time and place of meeting of said board of equalization. Said board of equalization shall be authorized to equalize and fix the valuation of all real and personal property assessed for school purposes within said Harrisburg Independent School District, exclusive of any and all authority. After fixing the valuation within said district, it shall cause notices to be issued by the secretary of the school board to all persons or corporations whose property values have been changed, citing said persons or corporations to appear before said board of equalization to show cause why such changes in valuation shall not be made. For the purpose of hearing the complaints of these cited, said board of equalization shall designate a time not less than ten nor more than fifteen days after adjournment of its previous meeting.

Sec. 5. Whereas, at duly held elections in Common School District No. 20 of Harris County, which said district is hereby incorporated as Harrisburg Independent School District, said Common School District

No. 20 issued bonds and voted a bond tax to create a sinking fund and pay interest on the bonded indebtedness of said district, and a duly held election voted a maintenance tax, therefore said bonds and maintenance tax are hereby in all things ratified, confirmed and validated, and the board of trustees of the Harrisburg Independent School District is hereby authorized to levy annually and collect the said tax as voted by the Common School District No. 20, together with such other tax as said school board is now or may hereafter be authorized to levy and collect.

Sec. 6. All moneys due from any source to said Common School District No. 20 are hereby vested in said Harrisburg Independent School District, and all custodians shall be governed accordingly, and said Harrisburg Independent School District shall succeed to all rights and assets of every character, of said Common School District No. 20, and shall be liable for all debts and claims now existing against said Common School District No. 20.

Sec. 7. This Act shall repeal any General Law or portion thereof, without impairing any law applicable to any other subject than the Harrisburg Independent School District; and if any part of this Act shall be held unconstitutional it shall not invalidate the remaining provisions, but same shall remain in full force and effect.

Sec. 8. The unequal valuations of property in said Harrisburg Independent School District, the lack of funds with which to properly maintain the schools of said district and pay the teachers therein living wages creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act be in force from and after its passage, and it is so enacted.

Amendment No. 2.

Amend House Bill No. 277 by striking out all above the enacting clause and inserting in lieu thereof the following:

An Act creating and incorporating Harrisburg Independent school District in Harris county, Texas, out of the territory now composing Common School District No. 20 of said county, providing that title of the school property vested in said Common School Dis-

trict No. 20 shall vest in said Harrisburg Independent School District, and that said independent school district assume the debts of said Common School District No. 20, providing for a board of trustees of said Harrisburg Independent School District, providing the time and manner of their election; defining their powers and duties; providing for the appointment of an assessor and collector and board of equalization and defining their powers and duties, and declaring an emergency.

The bill was laid before the Senate, read third time and, on motion of Senator Smith, was passed by the following vote:

## Yeas—26.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.

## Absent.

Bailey.	Johnston.
Caldwell.	Woods.
Hopkins.	

## House Joint Resolution No. 7.—Conference Committee Report.

Austin, Texas, March 8, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. H. E. Thomason, Speaker of the House.

Sirs: We, your Free Conference Committee, appointed to consider the differences before the Senate and House on House Joint Resolution No. 7, beg leave to report that, we have adjusted the differences between the bodies, the House conferees agreeing to accept the Senate amendments to

the said resolution. We recommend the adoption of the report.

Respectfully submitted,

TILSON.  
MILLER of Dallas.  
DICKSON.  
R. E. SEAGLER.  
J. D. BURNS.

On the part of the House.

CARLOCK.  
DAYTON.  
WOODS.  
McNEALUS.  
PAGE.

On the part of the Senate.

The above report was read and adopted by the following vote:

## Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.

## Present—Not Voting.

Buchanan of Bell. Cousins.

## Absent.

Hopkins.	Woods.
Johnston.	

## Senate Concurrent Resolution No. 33.

Whereas, certain matters affecting the State Orphan's Home in Corsicana, Texas, have been called to the attention of the Senate, by the Governor of Texas, together with the Governor's request that these matters be investigated by a joint committee of the House and Senate, for the purpose of determining what is best to be done for the benefit of the States Orphan' Home;

Therefore, be it resolved, by the Senate of Texas, the House Concurring, that a committee, consisting of two members of the Senate and three members of the House, be appointed by the President of the Senate and

the Speaker of the House, respectively, for the purpose of investigating the matters referred to in the Governor's message of March 11th. A. D. 1919, and that said committee report to this session of the Legislature their findings, together with such recommendations as in their judgment they deem best for the benefit of said Home;

Be it further resolved, that this committee consider the transcript of evidence relating to the matters referred to said State Orphan's Home, and which is now in the possession of the Governor of Texas, and that if said committee desires further evidence, that it have power and authority to summon witnesses and to proceed with the investigation as in the Revised Statutes of the State of Texas provided, and that any and all witnesses subpoenaed to appear before said committee, be allowed the same fees as is provided for witnesses in civil cases in the District Courts, and that all expenses of this investigation be paid out of the Contingent Expense Account of the Senate and House, respectively, one-half each, on accounts duly sworn to and approved by the chairman of said committee and the chairman of the Contingent Expense Committee of the Senate and House, respectively.

SUITER.

The resolution was read and adopted.

House Bill No. 531—Recalled from the House.

Senator Williford made the following motion:

I move that House Bill No. 531, which has passed the Senate be recalled from the House for correction. This is a local road bill for Limestone county.

WILLIFORD

The motion was read and adopted.

Recess.

At 12:30 o'clock p. m., the Senate, on motion of Senator Clark, recessed until 2 o'clock today.

### After Recess.

(Afternoon Session)

The Senate was called to order at 2 o'clock by the Lieutenant Governor.

### Parr-Glasscock Contest.

The Chair announced that the hour heretofore set for consideration of the committee reports on the Parr-Glasscock Contest had arrived.

Senator Dean moved the adoption of the minority (adverse) committee report.

As a substitute Senator Bailey moved that the majority committee report, to the effect that Senator Parr be seated, be adopted, and on this he moved the previous question, which being duly seconded was not ordered by the following vote:

Yeas—10.

Bailey.	Faust.
Bell.	Gibson.
Caldwell.	Hall.
Carlock.	Page.
Clark.	Rector.

Nays—20.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Derough.	Westbrook.
Dudley.	Williford.
Floyd.	Witt.
Hertzberg.	Woods.

The substitute motion pending.

### Message From the Governor.

Governor's Office,  
Austin, Texas, March 12, 1919.  
To the Texas Senate:

I ask the advice, consent and confirmation of the Senate in the following appointments:

To be Chairman of the State Highway Commission, R. M. Hubbard, New Boston, Bowie County, Texas.

To be members of the State Highway Commission, C. S. Fowler, San Antonio, Bexar County, Texas; C. N. Avery, Austin, Travis County, Texas.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

The above nominations were referred to the committee on nominations by the Governor.

**Senate Concurrent Resolution No. 11.  
Free Conference Committee Report.**

Committee Room,  
Austin, Texas, March 12, 1919.  
Hon. W. A. Johnson, President of the Senate;  
Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: Your free conference committee, to whom was referred the differences between the two houses on Senate Concurrent Resolution No. 11, providing for the calling of a constitutional convention to write a Constitution for the State of Texas, have considered the matter and beg leave to report the following:

By McNealus. S. C. R. No. 11.

A concurrent resolution providing for the holding of a constitutional convention.

Be it enacted by the Legislature of the State of Texas:

Section 1. That a constitutional convention is hereby called to assemble in the City of Austin, on the first Tuesday in May, 1921, to write a Constitution for the State of Texas, to be submitted to the voters of the State, as hereinafter provided.

Sec. 2. The delegate representation in the convention shall consist of four delegates from each Congressional District, to be chosen and elected by the electors of such Congressional District, and eighteen delegates from the State at large, to be chosen and elected by the electors of the State at large.

Sec. 3. That an election shall be held on the first Tuesday after the first Monday in November, 1920, for the election of the delegates to the said constitutional convention, the same being the general election day; and shall, except as hereinafter specifically provided, conform to the requirements of the general election laws of the State; and the vote for such delegates shall be received and canvassed by the election officials appointed to hold the general election.

Sec. 4. The voting at the election for delegates shall be by special official ballot and said official ballot shall be prepared and furnished by the County Judges. Any qualified

elector possessing the qualifications as prescribed for a State Senator may have his name printed on the official ballot as a candidate for delegate, by filing his written application with the County Judge of the county in which said applicant resides, at least twenty days before the date of said election, expressly setting forth in his written application that he is a candidate for election from the Congressional District in which he resides. The County Judges of each county composing a Congressional District in which an applicant for election resides shall file the name of each applicant in their respective counties with the County Judge of each county composing such Congressional District at least fifteen days before the date of said election, and the said County Judges shall have the names of all candidates from their Congressional Districts printed on the official ballot.

Candidates for delegates from the State at large shall make similar filing with the Secretary of State, who shall certify same to the different County Judges in the State.

Sec. 5. The election judges of the various voting precincts shall make returns to the County Judges within three days after said election for delegates, giving the result of the election; and the County Judges shall call the Commissioners' Court together on the first Tuesday in December, 1920, and canvass the returns in the presence of the Commissioners' Court and immediately certify the result of the vote for delegate election from the Congressional District to the legal returning officer of such district. The returning officer of each district shall immediately canvass the returns furnished him by the County Judges of the county composing the district and issue certificates of election to the four delegates receiving the highest number of votes, and he shall also certify the names of the delegates elected to the Secretary of State.

Sec. 6. County Judges of the various counties of the State shall canvass the returns of the election in their respective counties for delegates at large to such constitutional convention in the same manner and at the same time as the delegates from the Congressional Districts and certify within five days from the

date of such canvass the result of such election to the Secretary of State in the same manner as required by law in certification of State officers. The Secretary of State shall within ten days after receipt of the returns from the different counties of the State issue certificates of election to the delegates, both District and the State at large.

Sec. 7. The Governor shall issue his proclamation within thirty days from the passage of this Concurrent Resolution, calling for the election of delegates herein provided, and there is hereby appropriated seventy-five hundred (\$7500.00) dollars, or so much thereof as may be necessary, out of the general fund of the State Treasury, to pay for the publication of the said proclamation, in the same manner as other election proclamations are published.

Sec. 8. The convention shall be the judge of the election and qualification of the delegates and shall provide by majority vote for its procedure, and shall determine the manner and time in which its report shall be made to the qualified voters of the State for ratification or rejection at an election called by said constitutional convention. The holding of any elective or appointive State, district, county, municipal or other office shall not constitute a bar to eligibility as a delegate to such constitutional convention; but no such delegates holding any such elective or appointive office and receiving compensation therefor shall receive compensation for services as a delegate. The compensation of delegates and employees of said constitutional convention, and all expenses incident to the holding of said convention and the election for the ratification or rejection of the report of said convention, shall be determined by the convention.

Sec. 9. The Governor shall make proclamation of the date for the convening of the delegates in convention not less than thirty days before the day fixed by this Resolution; and the sum of five hundred (\$500.00) dollars, or so much thereof as may be necessary for the purpose of issuing such proclamation, is hereby appropriated from the general revenues not otherwise appropriated.

Sec. 10. Any amendment to or modification of the provisions of the present Constitution providing for

homesteads shall, if voted upon at the time the new Constitution is submitted to the people, be submitted separately and voted upon as an independent provision of the Constitution.

McNEALUS,  
BUCHANAN of Scurry,  
BELL,  
CARLOCK,  
PAGE,

For the Senate.

TILLOTSON,  
DAVIDSON,  
SENTELL,  
SATTERWHITE,

For the House.

#### Memorial Service.

Pursuant to arrangements by a special committee, the hour from 4:00 to 5:00 p. m. was used for a memorial service in honor of the late Hon. A. R. McCollum, a former member of this body. The House was officially represented by Messrs. Poage, Kellis and Quicksall, and the services were participated in by the Governor and Lieutenant Governor. Hon. C. B. McCollum and his mother, son and wife of the late Senator McCollum, were present.

The resolution shown on the opposite page was presented, adopted and copies transmitted as therein directed.

The following letters were later received, read by the Secretary and on motion of Senator McNealus were ordered printed in the Journal in connection with the Memorial Service. The letters are as follows:

Waco, Texas, March 17, 1919.

Lieutenant Governor W. A. Johnson,  
Austin, Texas.

My Dear Governor Johnson: I can not tell you how deeply grateful my mother and I are for the memorial services held in the Senate on the 12th inst. in honor of my father, the late Senator A. R. McCollum; also the kind words of yourself, Governor Hobby, the Senators and others who spoke on that occasion. I know how much my father loved you and his colleagues; how he was looking forward to serving again in the Senate, and of the hope for better days for him and those dear to him. I realize what a heritage he has left his fam-



**In Memory**  
**of**  
**Senator A. R. McCollum**

Augustus Rounsaville McCollum was born in Camden, Ark., October 10, 1849. He died in Austin, Texas, November 9, 1918. Age 69 years. He continued his residence in his native State until he reached maturity, when he moved to Texas and lived for a brief period in Harrison County. He then located in Waco, where he embarked upon the newspaper profession; where he married; where his children were born; and where he continued a vital force in the Fourth Estate, until his death. For more than forty years he was a citizen of Waco, and during that time he was editor and publisher of nearly every newspaper enterprise that was a factor in the city and county. In private life he sought no honor higher than the public service that is so intimately connected with newspaper work. His fellow citizens called him frequently to lead them in local civic organizations, and he served in various capacities in such associations, was president of the local Humane Society and the Knights of Pythias, and for years prior to his death was the chaplain of the Waco Lodge of Elks. He sought no political honors, although active in local, State, and National party councils. He was delegate and committeeman in his home county, delegate to State Democratic councils, delegate to National Democratic conventions, and as county chairman led the fight for the success of State and county ticket of his party. The only public office he ever held was that of State Senator, to which he was elected in 1915, to fill the unexpired term of Henry Berryman Terrell, of the Eleventh District, an honor which came to him unsought, and a position he held by reelection at the time of his death.

WHEREAS, The Senate of Texas has assembled on this occasion to pay tribute to the life and character of Hon. Augustus Rounsaville McCollum, late a Senator from the Eleventh District of Texas; therefore be it

RESOLVED, That it is the sense of the Senate of Texas, that the civic affairs of Texas, the home life of the city in which he has lived, the profession which he so highly honored, and the political party whose cause he so ably espoused, have been better, that his presence and influence gave vitality to the force he exercised among them, and all of Texas has profited by his able counsel and courageous manhood.

RESOLVED, That the Senate has lost an efficient member and the State one of its best citizens.

RESOLVED, That the secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, and that same be printed in the Journal and a page be set apart as a memorial to our late loved and respected member.

WITT,  
BAILEY,  
JOHNSTON.

The resolution was read, and after tributes to his memory by various Senators, by members of the Committee from the House, by Lieutenant-Governor Johnson, and Governor W. P. Hobby, the resolution was adopted by unanimous vote of the Senate.

ily, and my life is dedicated to trying to be as near like he would want me to and to emulate his ideals. On account of other business you had to transact it was impracticable for my mother and I to thank you and the Senators for their kind words, so I am going to ask you to convey to them our grateful appreciation and the knowledge that their graceful courtesy has done much to make our burden lighter.

With every good wish for you and yours, I am, sincerely yours,

C. B. McCOLLUM.

Waco, Texas, March 17, 1919.  
Senator Edgar E. Witt,  
Austin, Texas.

My Dear Edgar: I can not tell you how grateful my mother and I are to you for the memorial services held in honor of my father; of your kind words and those of your colleagues. At a time like this, when it seems everything in the world we held dear was taken away from us, it means more than you can imagine to realize the esteem he was held in. I am not able to tell you exactly how I feel, but I believe you know me well enough to know what I mean. May I not impose upon you to the extent of asking that you express to your fellow-Senators the grateful appreciation of my mother and I, so they may know that their words and act have done much to soothe our wounds?

With every good wish for you and yours, I am, always your friend,

C. B. McCOLLUM.

#### Messages from the House.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 64, A bill to be entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency."

With amendments.

S. B. No. 35, A bill to be entitled "An Act to amend Article 5243, of Chapter 1, Title 77, of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 115, Acts of the Thirty-third Legislature of 1913, and Chapter 48, Acts of the Thirty-third Legislature of 1913, and Chapter 48, Acts of the First Called Session of the Thirty-fifth Legislature of 1918, being an Act fixing the salary of the Commissioner of the Bureau of Labor Statistics, his assistants and inspectors, prescribing the manner in which salaries shall be paid, and providing for office and traveling expenses for officers and employes in the bureau; making an appropriation for additional salaries and expenses for the bureau for the remaining part of the fiscal year ending August 31, 1919, and declaring an emergency."

With amendments.

S. J. R. No. 23, A resolution to be entitled "A Joint Resolution proposing and submitting to the people of the State of Texas an amendment to Article 16 of the Constitution of the State of Texas, by adding thereto a new section and authorizing the city of Galveston and county of Galveston to issue bonds for protective work, irrespective of constitutional limitations."

S. J. R. No. 12, A resolution proposing an amendment to Section 4 of Article 11 of the Constitution of the State of Texas, by increasing the total tax rate that may be levied by cities and towns having a population of five thousand or less from one-fourth of one per cent to not exceeding one and one half per cent, and making an appropriation therefor.

S. B. No. 140, A bill to be entitled "An Act to make appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1913; August 31, 1915; August 31, 1916, and August 31, 1918, to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters or attempted to adopt

or amend charters since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions or governing authority in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 144, A bill to be entitled "An Act providing that writing a will and signing the name of any person thereto without the consent of such person shall be unlawful, declaring the same to be a forgery, providing penalties therefor, and declaring an emergency."

With amendments.

S. B. No. 316, A bill to be entitled "An Act to provide for the consolidation of two or more insurance companies doing the same line of business, where one or all of them have been previously organized under the laws of the State; to regulate the manner of such consolidation, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 34, A bill to be entitled "An Act to amend Articles 4621, 4622 and 4624, Title 68, Chapter 3, of the Revised Statutes of 1911, concerning the marital rights of parties, defining the separate and community property of the husband and wife, conferring upon the wife power to make contracts, authorizing suits on such contracts, repealing Articles 4625 and 4626, Title 68, Chapter 3, Revised Statutes, and all other laws and parts of laws in conflict therewith, and declaring an emergency."

With amendments.

S. B. No. 81, A bill to be entitled "An Act to amend Article 5663 and add Articles 5663a, 5663b and 5663c, Title 86, Chapter 8, of the Revised Civil Statutes of Texas, 1911, relating to fixing a special lien in favor of hotels, inns and boarding houses and providing a remedy for the enforcing of said lien by advertising and selling the baggage and other property of the guests of said hotel, inn or boarding house; providing for the disposition of the proceeds of said sale, defining liability of hotels for baggage deposited, defining the term hotel and inn, and declaring an emergency."

With amendments.

S. B. No. 220, A bill to be entitled "Herr County Road System, creating.

An Act subdividing said county into road districts and empowering any political subdivision or any defined district now or hereafter to be designated and defined of said county, by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such political subdivision, or any defined district now or hereafter to be described and defined thereof, voting thereon to issue bonds of said county to an amount not exceeding one-fourth of the assessed valuation of the real property of such county or such political subdivision, or any defined district now or hereafter to be described and defined, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved road and turnpikes, or in aid thereof, and prescribing ways and means of conducting and supervising said work; providing for appointment of a board of commissioners and their duties; providing for the redemption of road bonds now outstanding against Road District No. 1, and especially exempting said county from the provisions of Article 637d of chapter 203 of the Acts of the Thirty-fifth Legislature at its Regular, 1917, Session, and declaring an emergency."

S. B. No. 335, A bill to be entitled "An Act creating the Leaky Independent School District, in Real county, Texas, providing a board of trustees therefor, vesting it with the rights, powers and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

And has adopted H. C. R. No. 41, asking the Governor to return H. B. No. 278.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Committee Room.

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 186, A bill to be entitled "An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes or any rocks or aqueous solutions carrying metallic or non-metallic substances

of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, university fund, the several asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein or which may hereafter be sold with the reservation of minerals therein, and all such lands as were purchased with a relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall have reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marshes, reefs, islands, and river beds and channels which belong to the State, repealing all laws in conflict with this Act, and declaring an emergency."

S. B. No. 161, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the fiscal year ending August 31, 1919, and declaring an emergency."

With amendments.

S. B. No. 198, A bill to be entitled "An Act providing that the School of Mines and Metallurgy established by Chapter 178, Acts of the general Laws of the 33rd Legislature of 1913 located in the city of El Paso, El Paso County, Texas, be and the same is made and constituted a branch of the University of Texas for instruction in the arts of mining and metallurgy; authorizing the University of Texas through its board of regents to take over the management and control of said School of Mines and Metallurgy and its properties, and requiring the University of Texas to assume and pay off the obligations of said school, and declaring an emergency."

S. B. No. 262, A bill to be entitled "An Act to provide for the establishment, maintenance and management of experimental apiaries under the direction of the Director of the Texas Agricultural and Mechanical College, for the purpose of experimenting with the culture of the honey bees, and studying honey yield conditions, and other bee keeping problems, and making necessary appropriations therefor; designating expenditures, and declaring an emergency."

S. B. No. 312, A bill to be entitled "An Act to amend Article 7490 and

Article 7497 of the Revised Civil Statutes of the State of Texas of 1911, and Article 7491 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature, so as to further provide for the collection of inheritance taxes, the making of reports concerning estates subject to taxation, the fixing of penalties, prescribing duties and fixing compensation of District and County Attorneys and County Judges, and declaring an emergency."

With amendments.

H. B. No. 266, A bill to be entitled "An Act to incorporate the Burlington Independent School District in the counties of Milam and Falls, State of Texas, placing said independent school district under the general statutes governing school districts incorporated for school purposes only under the general laws of Texas; providing a board of trustees therefor, and declaring an emergency."

H. B. No. 598, A bill to be entitled "An Act enlarging and establishing Bay City Independent School District of Matagorda County, Texas; defining its boundaries; providing for board of trustees to manage and control the public schools within its boundaries; investing said district with all the rights, powers, privileges and duties of an independent school district; providing for the assumption and refunding by Bay City Independent School District of Matagorda County, Texas, herein defined and established of all indebtedness, bonded and otherwise, of the Bay City Independent School District of Matagorda County, Texas, heretofore created and existing and validating such indebtedness; changing the boundaries of Matagorda County School District Nos. 1, 3 and 5, and transferring to the Bay City Independent School District a portion of the territory now embraced in Matagorda County Common School District No. 1, in the Matagorda County Common School District No. 3, and in the Matagorda County Common School District No. 5, and providing that the Bay City Independent School District shall assume the portion of the bonded indebtedness of the Matagorda County Common School District No. 8 which it is entitled to assume in taking over the

additional land out of said district; and repealing any and all laws in so far as they conflict herewith, and declaring an emergency."

H. B. No. 603, A bill to be entitled "An Act creating, establishing and incorporating the Edinburg Independent School District in Hidalgo County, Texas."

With engrossed rider.

H. B. No. 608, A bill to be entitled "An Act creating and establishing the Stowell Independent School District in Chambers County, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; investing said district with the rights, powers, privileges and duties of a town or village incorporated under the general laws for free school purposes only; providing for the assumption and refunding by the Stowell Independent School District as herein defined of the bonded indebtedness of the existing Stowell Common District No. 15 of Chambers County, Texas, and validating those obligations; repealing all laws in so far as they conflict herewith, and declaring an emergency."

H. B. No. 605, A bill to be entitled "An Act adding to and making a part of the Harlingen Independent School District of Cameron County, Texas, certain lands and territory adjoining thereto situated in Cameron County, Texas; providing that the trustees of the present district are hereby continued in office until the expiration of their respective terms and their successors shall be elected as is provided by the general laws for the election of trustees in independent school districts organized for school purposes only; providing that all taxes for the maintenance or for the issuance of bonds previously voted by the present Harlingen Independent School District are hereby validated and shall remain in full force and effect; and conferring upon said district herein created and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of this State upon independent school districts and the boards of trustees thereof, formed by the incorporation of a town or village for free school purposes only under the general law; and providing that whatever jurisdiction either

county, through its school officers, may or might exercise over said district herein created and enlarged shall be Cameron County; and declaring an emergency."

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson had referred, after their captions had been read, the following House Bills:

H. B. No. 598, referred to the Committee on Educational Affairs.

H. B. No. 605, referred to the Committee on Educational Affairs.

H. B. No. 608, referred to the Committee on Educational Affairs.

H. B. No. 603, referred to the Committee on Educational Affairs.

H. B. No. 266, referred to the Committee on Educational Affairs.

#### House Concurrent Resolution No. 41.

The Chair laid before the Senate H. C. R. No. 41, requesting the Governor to return for further consideration House Bill No. 278.

The resolution was read and adopt.

#### Recess.

At 5:10 o'clock p. m., the Senate, on motion of Senator Johnston, recessed until 10 o'clock tomorrow.

#### After Recess.

(March 13, 1919.)

The Senate was called to order by the Chair, Lieutenant Governor Johnson.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 13, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has

Concurred in Senate amendments to H. B. No. 277.

Passed a resolution requesting the return of S. C. R. No. 15 for correction.

Granted the request of the Senate for the return of H. B. No. 531, and said bill is returned herewith.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Messages From the Governor.

Governor's Office,

Austin, Texas, March 13, 1919.

To the Texas Senate:

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be members State Board of Health: Dr. Guy Reed, Beaumont, Jefferson County; Dr. T. B. Fisher, Dallas, Dallas County; Dr. W. B. Russ, San Antonio, Bexar County; Dr. W. L. Crosthwaite, Waco, McLennan County; Dr. E. M. Wood, Hutto, Williamson County; Dr. G. H. Sandefer, Abilene, Taylor County.

To be members State Board of Nurse Examiners: Miss B. E. Baylor, San Antonio, Bexar County; Miss Agnes Hogg, Paris, Lamar County; Miss Mildred Bridges, Fort Worth, Tarrant County; Mrs. Alice C. Hart, Palestine, Anderson County; Sister Julietta, Dallas, Dallas County.

To be members State Board of Veterinary Medical Examiners: Dr. N. F. Williams, Fort Worth, Tarrant County; Dr. J. A. Harris, Bonham, Fannin County; Dr. A. E. Flowers, Dallas, Dallas County; Dr. F. E. Barnes, Waxahachie, Ellis County; Dr. W. G. Gregory, Fort Worth, Tarrant County; Dr. R. H. Hodges, Waco, McLennan County; Dr. P. P. Starr, Gainesville, Cook County.

To be Commissioners of the Kings Burial Park: Mrs. M. F. Lambert, Refugio, Refugio County; Mrs. Eugene Low, Refugio, Refugio County; Mrs. O. Mitchell, Refugio, Refugio County.

To be members San Jacinto Park Commission: Mrs. Mabel F. Smith, Houston, Harris County, Mrs. Loula Bryan Rambaud, Houston, Harris County; Mrs. C. H. Milby, Harrisburg, Harris County.

To be Pilot Commissioners, Port of Galveston: T. L. Cross, Galveston, Galveston County; T. J. Anderson,

Galveston, Galveston County; R. Waverly Smith, Galveston, Galveston County; H. E. Kleinecke, Galveston, Galveston County; Robert Strickland, Galveston, Galveston County.

To be Pilot Commissioners, Port of Houston: J. S. Bonner, Houston, Harris County; H. B. Rice, Houston, Harris County; A. C. Druet, Houston, Harris County; Jack O'Neil, Houston, Harris County; P. C. Foley, Houston, Harris County.

To be Pilot Commissioners, Port of Aransas: Frank Stephenson, Port Aransas, Nueces County; Andrew Anderson, Corpus Christi, Nueces County; Ed White, Port Aransas, Nueces County; Jed Brundrett, Port Aransas, Nueces County; L. V. Dennon, Port Aransas, Nueces County.

To be Pilot Commissioners, Sabine Pass River and Tributaries: D. W. Ryan, Port Arthur, Jefferson County; Harvey Fletcher, Beaumont, Jefferson County; J. S. Edwards, Beaumont, Jefferson County; W. B. Simmons, Orange, Orange County; Luther Stark, Orange, Orange County.

To be Cotton Weighers for Galveston: Jake Zeigler, Galveston, Galveston County; Worthy Boyd, Galveston, Galveston County; J. E. Labuzan, Galveston, Galveston County; E. K. Marrast, Galveston, Galveston County; J. F. Blackie, Galveston, Galveston County; O. R. Hoecker, Galveston, Galveston County.

To be a member Board of Medical Examiners: Dr. M. F. Bettencourt, Mart, McLennan County, vice Dr. M. E. Daniel, Fannin County, resigned.

To be a member of Washington Park Commission: D. C. Giddings, Brenham, Washington County, vice F. W. Schuerenberg of Washington County, deceased.

Respectfully submitted,

W. P. HOBBY, Governor.

The nominations were referred to the Committee on Governor's Nominations.

Governor's Office,

Austin, Texas, March 13, 1919.

To the State Senate:

Pursuant to your request made in Senate Concurrent Resolution No. 32,

I am returning for your consideration Senate Bill No. 220 and Senate Bill No. 335.

Respectfully,

W. P. HOBBY,  
Governor of Texas.

#### Parr-Glasscock Contest.

Action recurred upon pending business, the report of the Committee on Privileges and Elections on the Parr-Glasscock election contest.

The question being upon the substitute motion made by Senator Bailey to adopt the majority committee report to deny the contest of D. W. Glasscock and seat Senator Parr. (See page 839.)

The substitute prevailed by the following vote:

#### Yeas—16

Bailey.	Gibson.
Bell.	Hall.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Dayton.	Rector.
Dorough.	Smith.
Faust.	Strickland.

#### Nays—14.

Alderdice.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Suiter.
Cousins.	Westbrook.
Dean.	Williford.
Dudley.	Witt.
Floyd.	Woods.

Senator Dayton moved to reconsider the vote by which the majority report was adopted, and table the motion to reconsider.

The motion to table prevailed.

#### Recess.

At 12:40 o'clock p. m., the Senate, on motion of Senator Dean, recessed until 2 o'clock today.

#### After Recess.

(Afternoon Session)

The Senate was called to order by Lieutenant Governor Johnson.

#### House Bill No. 551.

The Chair laid before the Senate on second reading:

H. B. No. 551, A bill to be entitled "An Act creating and incorporating the Canadian Independent School District, in Hemphill county, and defining the boundaries thereof."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dudley, was passed to its third reading.

#### House Bill No. 601.

The Chair laid before the Senate on second reading:

H. B. No. 601, A bill to be entitled "An Act creating Ray Common School District No. 27, in Goliad county, Texas, providing a board of trustees thereof, providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes upon common school districts in this State."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dudley, was passed to its third reading.

#### House Bill No. 604.

The Chair laid before the Senate on second reading:

H. B. No. 604, A bill to be entitled "An Act creating, establishing and incorporating the Donna Independent School District in Hidalgo county, Texas."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dean, was passed to its third reading.

#### House Bill No. 602.

The Chair laid before the Senate on second reading:

H. B. No. 602, A bill to be entitled "An Act to amend Chapter 8, Acts of the Fourth Called Session of the

Thirty-fifth Legislature, creating the Burkeville Independent School District in Newton county, Texas, defining its boundaries and making a permanent site and providing for the election of a board of trustees, investing said district and its board of trustees with full power, privileges and duties of towns and villages incorporated for free school purposes only, investing the trustees with the control of the public schools in said district, authorizing the levy and collecting of taxes for certain purposes, authorizing the appointment of a tax collector and assessor, and authorizing the said board to be vested with all authority that is vested in boards of independent school districts by the general laws of the State of Texas; validating certain indebtedness of Common School District No. 8, of said county, and providing for a permanent site of the high school on the tracts of land where it is now located and naming the surveys and parts of surveys included within its boundaries."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Cousins, was passed to its third reading.

#### House Bill No. 562.

The Chair laid before the Senate on second reading:

H. B. No. 562, A bill to be entitled "An Act to amend Sections 2, 6, 7, 10, 12, and 14 of Chapter 47, Acts of Thirty-fourth Legislature passed at its Regular Session, being 'An Act to create a more efficient road system for Mills County, so as to prescribe how road and bridge taxes collected from persons and upon property in incorporated cities and towns in said county shall be expended; so as to provide for the hiring of engineers to supervise construction and maintenance work; so as to provide for increased compensation to be paid road hands, and for teams; defining a good day's work; increasing the compensation to be paid road overseers; increasing the amount to be paid in lieu of road duty; and to secure exemption from road duty, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dayton, was passed to its third reading.

#### House Bill No. 589.

The Chair laid before the Senate on second reading:

H. B. No. 589, A bill to be entitled 'An Act amending Chapter 45, House Bill No. 531, of the Special Laws of Texas, enacted by the Thirty-fourth Legislature, the same being 'An Act creating a special road law for Camp County, Texas.'"

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Dayton, was passed to its third reading.

#### House Bill No. 560.

The Chair laid before the Senate on second reading:

H. B. No. 560, A bill to be entitled "An Act amending House Bill No. 647, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Dayton, was passed to its third reading.

#### House Bill No. 525.

The Chair laid before the Senate on second reading:

H. B. No. 525, A bill to be entitled "An Act creating the Tynan Independent School District in Bee, San Patricio and Live Oak Counties, Texas, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."



The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Dayton, was passed to its second reading.

#### House Bill No. 606.

The Chair laid before the Senate on second reading:

H. B. No. 606, A bill to be entitled "An Act creating the Pflugerville Independent School District in Travis and Williamson Counties, Texas, consolidating into said independent school district the territory included in the present Pflugerville Independent School District, Common School District No. 56, Common School District No. 12, Williamson and Travis County Line School District No. 14,

and Common School District No. 15; defining its boundaries, vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor; making provision for taxation for school purposes in said district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Dayton, was passed to its third reading.

#### House Bill No. 600.

The Chair laid before the Senate on second reading:

H. B. No. 600, A bill to be entitled "An Act to create a more efficient road system for Erath County, in this State, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Buchanan of Scurry, was passed to its third reading.

#### House Bill No. 613.

The Chair laid before the Senate on second reading:

H. B. No. 613, A bill to be entitled "An Act creating the South Elm Common School District No. 58 of Milam County, Texas; providing a board of trustees therefor; providing that said common school district and the board of trustees thereof shall have and enjoy all the rights, powers, privileges and duties imposed and conferred by the general statutes of Texas upon common school districts in this State, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time, and, on motion of Senator Dayton, was passed to its third reading.

#### House Bill No. 534.

The Chair laid before the Senate on second reading:

H. B. No. 534, A bill to be entitled "An Act creating Pharr-San Juan Independent School District in Hidalgo County."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dayton, was passed to its third reading.

#### Senate Bill No. 398.

The Chair laid before the Senate on second reading:

S. B. No. 398, A bill to be entitled "An Act to create a more efficient road system for Delta County, etc.; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Floyd, was passed to engrossment.

#### Senate Bill No. 395.

The Chair laid before the Senate on second reading:

S. B. No. 395, A bill to be entitled "An Act amending the City Charter of the city of Gainesville, Texas, by

adding thereto this Act, authorizing the City Council of said city to issue refunding bonds of said city for the purpose of refunding any outstanding unpaid bonds of said city without the necessity of ordering and holding an election, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dayton, was passed to engrossment.

#### House Bill No. 365.

The Chair laid before the Senate on second reading:

H. B. No. 365, A bill to be entitled "An Act to amend Article 5437, Title 79, Chapter 9, of the Revised Civil Statutes of Texas of 1911, and providing that any part of a tract of land heretofore or hereafter sold by the State may, in the discretion of the Commissioner of the General Land Office, and regardless of the number of acres contained therein, be patented at any time upon the payment of the balance due the State for such part, together with the patent fees prescribed by law, and to repeal all laws in conflict herewith."

The bill was laid before the Senate, read second time and, on motion of Senator Dudley, was passed to its third reading.

#### Senate Bill No. 317.

The Chair laid before the Senate on second reading:

S. B. No. 317, A bill to be entitled "An Act naming the pecan as the Texas State tree, and declaring an emergency."

The bill was laid before the Senate, read second time and, on motion of Senator Dean, was passed to its engrossment.

#### House Bill No. 577.

The Chair laid before the Senate on second reading:

H. B. No. 577, A bill to be entitled "An Act to validate sales of public free school lands sold on September 25, 1895, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Buchanan of Scurry, was passed to its third reading.

#### Simple Resolution No. 94.

Whereas, It has been reported to members of the Senate that on or about February 28, Hon. J. C. Loggins, superintendent of the Texas Confederate Home, stated under oath that the whole Legislature looked upon the veterans of the Home as a lot of silly old scalawags, who were not worthy of any consideration or respect; and

Whereas, If such statement was made by the said J. C. Loggins, the same is untrue and does not reflect the views of the members of the Senate; and

Whereas, Every member of the Senate has for each Confederate veteran the utmost respect and esteem, and desires to do everything possible for the promotion of the welfare and interest of all Confederate soldiers, or their widows; now, therefore, be it

Resolved by the Senate, That we, here and now, express our high esteem and regard for every inmate of the Confederate Home and every Confederate soldier or his widow, and we desire to hereby correct any statements wherever and by whomsoever made to the contrary.

CALDWELL.

The resolution was read and action deferred on same until tomorrow.

#### Simple Resolution No. 95.

Whereas, After consultation with various auditors in regard to auditing the Treasurer's Department, as provided in Senate Simple Resolution No. 84, the committee appointed pursuant to said resolution has informed the Senate that the audit can not be made and a proper investigation completed during this session of the Legislature; therefore, be it

Resolved, That the said committee, heretofore appointed by the President of the Senate, proceed with the audit as provided in said resolution, and that the report be made to

the First Called Session of the Thirty-sixth Legislature; and be it further

Resolved, That this committee have all the power and authority granted in the Revised Civil Statutes of the State of Texas relating to investigating committees of the Legislature, to summon such witnesses and to examine such papers, books and accounts as may be necessary to make a complete examination and audit of the Treasurer's Department, and that all expenses be paid as provided in said Resolution No. 84.

CLARK.

The resolution was read and adopted.

**Senate Bill No. 34.—Conference Committee Elected.**

I move that the Senate do not concur in House Amendments to Senate Bill No. 34, and that the Senate request of the House a conference committee and that the following be elected on the part of the Senate:

Dean, Page, Suiter, Smith, Dorrough.  
DOROUGH.

The motion was read and adopted carrying the election of the committee therein named.

**Senate Concurrent Resolution No. 15.  
—Returned to the House.**

Senator Clark made the following written motion:

Whereas the House has requested that the Senate return Concurrent Resolution No. 15,

Therefore, I move the request be granted.

CLARK.

The motion was read and adopted.

**Bills and Resolutions Signed.**

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

S. B. No. 186, A bill to be entitled "An Act to provide for the sale, development and patenting of mineral

deposits, placers, veins, lodes, or any rocks or aqueous solutions carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several Asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein or which may hereafter be sold with the reservation of minerals therein and all of said lands as were purchased with a relinquishment of the minerals therein and all lands of which the mineral rights therein have or shall have reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marshes, reefs, islands, and river beds and channels which belong to the State, repealing all laws in conflict with this Act, and declaring an emergency."

S. J. R. No. 23, Being a resolution to be entitled, "A Joint Resolution proposing and submitting to the people of the State of Texas an amendment to Article sixteen of the Constitution of the State of Texas by adding thereto a new section and authorizing the City of Galveston and county of Galveston to issue bonds for protective works, irrespective of Constitutional limitations."

S. B. No. 262, A bill to be entitled "An Act to provide for the establishment, maintenance and management of experimental apiaries under the direction of the Director of the Texas Agricultural and Mechanical College, for the purpose of experimenting with the culture of the honey bees, and studying honey yield conditions, and other bee-keeping problems, and making necessary appropriations therefor; designating expenditures and declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters or attempted to adopt or amend charters since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by City Councils or City Commissions.

or governing authority in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 140, A bill to be entitled "An Act to make appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1913; August 31, 1915, August 31, 1916 and August 31, 1919 to cover duly authorized deficiency claims registered in the office of the Comptroller of Public Accounts of the State of Texas, in accordance with law, and declaring an emergency."

S. B. No. 316, A bill to be entitled "An Act to provide for the consolidation of two or more insurance companies doing the same line of business, where one or all of them have been previously organized under the laws of this State; to regulate the manner of such consolidation, and to repeal all laws and parts of laws in conflict therewith."

S. J. R. No. 12, A resolution proposing an amendment to Section 4 of Article XI of the Constitution of the State of Texas, by increasing the total tax rate that may be levied by cities and towns having a population of five thousand or less from one-fourth of one per cent to not exceeding one and one-half per cent, and making an appropriation therefor.

H. J. R. No. 7, Proposing an amendment to the constitution of the State by adding to Article 16 thereof a new section to be known as Section 59; providing for the compensation of public officials.

H. C. R. No. 41, Requesting Governor to return House Bill No. 273 for further consideration.

#### **Senate Bill No. 312.—House Amendments Concurred In.**

Senator Hopkins called up for consideration of House amendments to:

S. B. No. 312, A bill to be entitled "An Act to amend Article 7490 and Article 7491 of the Revised Civil Statutes of the State of Texas of 1911, and Article 7497 of the Revised Civil Statutes amended by Chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature, so as to further provide for the collection of inheritance taxes."

The following House amendments were laid before the Senate and concurred in by the Senate, to-wit:

(1) Amend S. B. No. 312, page 1027, column one, House Journal, by striking out all of Article 7490, beginning with the word "judge" in line 13 of said article down to and including the word "judge" in line 26 of said article, and insert in lieu thereof the following: "clerk of the county court wherein such decedent resided at the time of his death, or wherein the principal part of such estate is located, giving the date of death of such decedent, the approximate value of his estate, if known, of the persons entitled to receive such estate; and within one year after coming into possession of any portion of such estate; such person or persons shall, if some other person has not previously done so, file with the Comptroller and with the said county clerk said report to be preserved as a permanent record of said office pertaining to such estate."

(2) Amend S. B. No. 312, page 1027, column 2 of House Journal, by striking out in lines 7 and 8, Article 7491, the words, "to the Comptroller and the County Judge."

(3) Amend S. B. No. 312, page 2 line 8, change the figures "10" to "2."

#### **Senate Bill No. 64.—House Amendments Concurred In.**

Senator Cousins called up for consideration of House amendments to:

S. B. No. 64, A bill to be entitled "An Act regulating the employment of women and minors, and establishing an Industrial Welfare Commission to investigate and deal with such employment, and declaring an emergency."

The following House amendment was laid before the Senate:

Amend Senate Bill No. 64, Section 1, line 5, by striking out "Attorney General" and inserting in lieu thereof "State Superintendent of Public Instruction"; and by striking out in line 5, Section 1, the words "chairman of" and insert in lieu thereof "the representative of employers of labor on."

Senator Hall raised the point of order that the bill is a substitute

bill and must under Rule 35 be referred to a committee.

The point of order was overruled.

As a substitute for the motion to concur in the amendments, Senator Bell made the following written motion:

I move as a substitute that the Senate refuse to concur in House amendment to S. B. No. 64, and ask for conference committee, and name Dayton, Buchanan of Scurry, Carlock, Hall, McNealus, as conferees on the part of the Senate.

BELL.

Senator Cousins moved to table the substitute and this motion prevailed by the following vote:

Yeas—18.

Alderdice.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Cousins.	McNealus.
Dean.	Parr.
Dorough.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Westbrook.	Witt.
Williford.	Woods.

Nays—8.

Bell.	Clark.
Buchanan of Bell.	Dayton.
Caldwell.	Hall.
Carlock.	Rector.

Present—Not Voting.

Page.

Absent.

Bailey.	Gibson.
Dudley.	Johnston.

On motion of Senator Cousins the amendment was concurred in by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent.

Bailey.	Gibson.
Buchanan of Bell.	Johnston.

#### House Bill No. 531.—Vote Reconsidered.

By unanimous consent, Senator Williford moved to reconsider the vote by which House Bill No. 531 was passed finally.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on third reading:

H. B. No. 531, Providing for a more efficient road system for Limestone county.

Senator Williford offered the following amendments which were read and adopted:

(1) Amend the bill by striking out Section 4 and inserting in lieu thereof the following:

"In the event an election is held and bonds voted for the entire county, a board of permanent road commissioners shall be composed of the county judge, county auditor, and the four commissioners, and in addition thereto, three citizens to be selected from each commissioners' precinct. The persons to be chosen members of the board shall be men of wide business experience and good sound judgment. They shall be nominated by a majority vote of the property tax-paying, resident qualified voters, voting at such election at the same time and place as the vote is taken on the bond issue, and in the event such election is hereafter held and bonds voted for any political subdivision or defined district of said county, the manner of nominating and electing citizen members of the board for such political subdivision or defined district shall be the same as that providing for the election of citizen members for county board of permanent commissioners, provided that no political subdivision or defined district shall have more than three citizen members on said board."

(2) Amend the bill by striking out Section 5 and inserting in lieu thereof the following:

Sec. 5. And in the event any political subdivision or defined district of said county has voted for the issuance of bonds or an election has

been ordered for the voting of the issuance of said bonds for the construction of permanent roads at the time of the passage of this Act, there shall be created for such political subdivision or defined district a body to be known as the Board of Permanent Road Commissioners for..... (naming political subdivision) and hereinafter referred to as the "board" which shall be constituted and shall consist of the county judge and the county commissioner in whose precinct said subdivision or defined district may be, and three citizens of such subdivision or defined district; and in the event the same shall contain all or part of two or more commissioners' precincts, then the commissioner of each such precinct shall be a member of said board, and the citizen members of such board shall be nominated by a majority vote of the resident property tax-paying voters of such political subdivision or defined district at a special election to be held therein for that purpose, said election to be on the petition of twenty or more resident property tax-paying voters of such political subdivision or defined district, said election to be ordered and held under the general election laws of this State at a time and place or places to be designated in the order of election and the persons whose names are so nominated shall, by the commissioners' court, be elected as the members of the board to which they are nominated, and said persons, together with all citizen members of boards created under this Act, shall qualify by taking oath of office required by law, and shall give bond, payable to the county judge or his successors in office, in trust for the permanent road fund for said county, or for said political subdivision or defined district, in the amount and condition as now prescribed by law for county commissioners when acting as road supervisors, and shall continue to serve as members of said board until the roads provided for under such bond elections are completed. In case of any vacancy arising in the citizen's membership of such board, such vacancy shall be filled by a majority vote of the remaining members of the board.

The bill was laid before the Senate, read third time, and, on motion of Senator Williford, was passed by the following vote:

## Yeas—26.

Alderdice.	Floyd.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

## Absent.

Balley.	Johnston.
Gibson.	Rector.
Hall.	

## Senate Bill No. 161—House Amendments.

Senator Bell called up for consideration of House Amendments to

S. B. No. 161, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the fiscal year ending August 31, 1919, and declaring an emergency."

The following House amendments were laid before the Senate:

Amend Senate Bill No. 161 by striking out Section 1, and substituting in lieu thereof the following:

Section 1. That the following sums be and the same are hereby appropriated out of the general revenue to cover emergencies for the purposes herein named for the Livestock Sanitary Commission for the balance of the fiscal year ending August 31, 1919:

Additional expenses of chairman of Live Stock Sanitary Commission .....	\$ 250.00
Additional expenses for one commissioner. ....	200.00
Additional expenses for one commissioner. ....	200.00
Additional expense chief cattle inspector .....	87.50
Additional expenses chief sheep inspector .....	58.33
Additional expenses State Veterinarian and Assistant State Veterinarian .....	800.00
Salaries for ten additional inspectors at \$83.33 per month each .....	4,166.50

Conveyance expenses for inspectors, including auto and livery expenses and hire and other conveyance expenses and hire, except by rail .....	10,500.00
Additional expenses for inspectors, covering hotel bills and other necessary traveling expenses, except conveyance.....	9,625.00
Additional office expenses, including office rent, stamps, stationery, telegraph and telephone service, printing, office furniture and fixtures and all necessary office expenses.....	1,000.00
Additional funds for eradication of contagious and infectious diseases .....	500.00
Additional railroad transportation for members, officials and employes of the Live stock Sanitary Commission	10,000.00
<b>Total.....</b>	<b>\$37,387.33</b>

On motion of Senator Bell the amendments were concurred in by the following vote:

Yeas—28.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey.	Johnston.
Gibson.	

#### Senate Bill No. 35—Conference Committee Elected.

Senator Witt made the following written motion:

I move that the Senate do not concur in House amendments to S. B. No. 35, and ask for a conference committee, and that the following be

elected on the part of the Senate: Strickland, McNealus, Cousins, Dudley and Caldwell.

WITT.

The motion was read and adopted carrying the election of the conferees named.

#### Senate Bill No. 81—House Amendments Concurred In.

Senator McNealus called up for consideration of House amendments to:

S. B. No. 81, A bill to be entitled "An Act to amend Article 5663 and add Articles 5663a, 5663b and 5663c, Title 86, Chapter 8, of the Revised Civil Statutes of Texas, 1911, relating to fixing a special lien in favor of hotels, inns and boarding houses, etc."

The following House amendments were laid before the Senate:

Strike out Section 3, Article 5663b, and insert in lieu thereof the following:

Section 3, Article 5663b. Hotels and inns, as defined in this Act, shall be held to exercise ordinary care in caring for baggage of their guests, whether such baggage is checked or not.

Amend Senate Bill No. 81, page 2, line 31, by substituting for the word and figure "Section 4" the word and figure "Section 3" and by substituting for the figures and letter "5663c" the figures and letter "5663b," and by substituting for the figures and letter "5663c," page 2, line 32, the figures and letter "5663b," and by substituting for the word and figure "Section 5," page 2, line 36, the word and figure "Section 4."

Amend the caption of Senate Bill No. 81 by striking out "and 5663c" at the end of line 19 and the beginning of line 20, and by striking out the words "defining liability of hotels for baggage deposited" in lines 25 and 26.

Amend Senate Bill No. 81, page 2, by changing the period at the end of Section 4 to a comma and adding the following, "provided that the words hotels or rooms shall be construed to include rooming houses."

On motion of Senator McNealus, the amendments were concurred in.

**Senate Bill No. 144—House Amendments Concurred In.**

Senator Suiter called up for consideration of House amendments to:

S. B. No. 144, A bill to be entitled "An Act providing that writing a will and signing the name of any person thereto without the consent of such person shall be unlawful, declaring the same to be a forgery, providing penalties therefor, and declaring an emergency."

The following House amendment was read and, on motion of Senator Suiter, the same was concurred in, as follows:

Amend caption to Senate Bill No. 144 by amending same to read as follows: "A bill to be entitled 'An Act providing that executing what purports to be the last will and testament of another without the consent of such person to be unlawful and to be forgery, and providing penalty therefor.'"

Senator Hertzberg in the chair.

**Senate Concurrent Resolution No. 15. Conference Committee Elected.**

Senator Bell offered the following motion:

I move that the Senate refuse to concur in the House amendments to Senate Concurrent Resolution No. 15, and ask the appointment of a conference committee, and I move that the following be elected on the part of the Senate: Dean, Carlock, Page, Faust and Strickland.

BELL.

The motion prevailed, and the committee named was declared elected.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, March 13, 1919.  
Lieutenant Governor W. A. Johnson,  
President of the Senate:

Sir: I am directed by the House to inform the Senate that the House

Has adopted H. C. R. No. 43, authorizing the Board of Prison Commissioners to demand of L. P. Featherstone a compliance with the

provisions of his contract to purchase the State's iron industry at Rusk.

Has adopted H. C. R. No. 42, adopting joint rules of the two houses.

Has adopted S. C. R. No. 33, relating to a joint committee to investigate the State Orphans' Home.

Returns S. C. R. No. 15, with corrections.

Has passed the following bills:

S. B. No. 390, A bill to be entitled "An Act creating Maribelle Independent School District in Grayson county, Texas; naming same; prescribing its metes and bounds; and providing for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein; and providing for assessing and collecting taxes therein; and vesting all real and other property used for school purposes in said district in said independent district, and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act changing and fixing the times of holding the courts in the Twelfth Judicial District of Texas, and declaring an emergency."

S. B. No. 338, A bill to be entitled "An Act to create the Goodnight Independent School District in Armstrong county, Texas, out of the territory now known as Goodnight School District No. 5, in said county, defining its boundaries and providing for the election of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, providing authority to issue bonds for the purpose of purchasing school buildings, sites and erecting, furnishing and equipping school buildings within the said district, to levy taxes therefor and to pay current expenses for the support and maintenance of said schools, providing for a board of equalization and prescribing the duty and authority of said board and further prescribing the duty and authority of said board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, and declaring an emergency."

H. B. No. 627, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county



court of Menard county; to conform the jurisdiction of the District Court thereto and to repeal all laws in conflict therewith, and declaring an emergency."

H. B. No. 629, A bill to be entitled "An Act to create a more efficient road system for Eastland county."

S. B. No. 394, A bill to be entitled "An Act incorporating and creating the Marathon Independent School District of Brewster county, Texas, for free school purposes only, defining its boundaries and providing for the election of a board of trustees for the raising of revenue by taxation; issuing bonds for raising money for building purposes; and for maintaining public free schools therein; vesting the property of the Marathon School District in said Marathon Independent School District; and vesting said district and the board of trustees with all the right, powers, privileges and duties conferred and imposed by general laws upon independent school districts and upon the board of trustees thereof, and which apply to a city or town incorporated for free school purposes only, under the general laws, and declaring an emergency."

H. B. No. 635, A bill to be entitled "An Act to create a more efficient road law for Delta county."

S. B. No. 381, A bill to be entitled "An Act to permit the Artesian Belt Railroad and the receiver thereof to take up and remove its railroad construction heretofore made, from a connection with the Galveston, Harrisburg and San Antonio Railway Company, in the town of Macdonna to the town of Kirk, a distance of approximately three and one-tenth miles, in a southeasterly direction, all in Bexar county; and to sell and dispose of same and abandon the same, and declaring an emergency."

H. B. No. 630, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10, of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the

Thirty-fifth Legislature, and House Bill No. 200, Acts of the Regular Session of the Thirty-sixth Legislature with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Armstrong, Dickens, Presidio, Terrell and Throckmorton counties, and declaring an emergency."

H. B. No. 631, A bill to be entitled "An Act creating the Bon Wier Independent School District in Newton county, Texas; defining the boundaries; providing for the election of a board of trustees to manage and control the public free schools within the said district; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the general laws; declaring valid a maintenance tax heretofore voted, and declaring an emergency."

H. B. No. 632, A bill to be entitled "An Act to amend Section 8, Senate Bill 312, Chapter 16, Acts of the Regular Session of the Thirty-fourth Legislature, creating the La Porte Independent School District, providing the method of levying, assessing and collecting the taxes therein, legalizing levies, assessments and equalizations heretofore made, and declaring an emergency."

With engrossed rider.

S. B. No. 391, A bill to be entitled "An Act creating a more efficient road system for Rockwall county, Texas; defining its boundaries, etc., and declaring an emergency."

With amendments.

House has concurred in Senate Amendments to H. B. No. 531.

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 629, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 630, referred to the Committee on Stock and Stock Raising.

H. B. No. 631, referred to the Committee on Educational Affairs.

H. B. No. 632, referred to the Committee on Educational Affairs.

H. B. No. 627, referred to the Committee on Civil Jurisprudence.

H. B. No. 635, referred to the Committee on Roads, Bridges and Ferries.

H. C. R. No. 42, referred to the Committee on Rules.

H. C. R. No. 43, referred to the Committee on State Penitentiaries.

### House Bill No. 208.

The Chair laid before the Senate on second reading:

H. B. No. 208, A bill to be entitled "An Act to validate all sales of public free school land made by the State of Texas, by authority of the Acts of the Legislature of date April 12 and 14, 1883, wherein the State did by its award of sale or classification of such lands specifically reserve the minerals in such lands, be and the same are hereby validated, and the State of Texas hereby relinquishes unto the owners of said lands all of its rights and title to said lands and minerals, and declaring an emergency."

Senator Buchanan of Scurry offered the following amendment, which was read and adopted:

Amend H. B. No. 208 by inserting after the word "land" in line 19 and after the word "lands" in line 28, on page 1, and after the word "lands" in line 7 on page 2, the following words, "university, asylum and public lands."

The bill was laid before the Senate, read second time and, on motion of Senator Bell, was passed to its third reading by the following vote:

Yeas—15.

Bell.	Page.
Buchanan of Scurry.	Parr.
Carlock.	Rector.
Clark.	Westbrook.
Dayton.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Hertzberg.	

Nays—12.

Alderdice.	Caldwell.
Buchanan of Bell.	Cousins.

Dean.	McNealus.
Faust.	Smith.
Gibson.	Strickland.
Johnston.	Suiter.
Hopkins.	

Absent.

Bailey.	Hall.
Floyd.	

### Refusal to Adjourn.

At 4:15 o'clock p. m. Senator Clark moved that the Senate stand adjourned until 4:20 o'clock p. m. today.

The motion was lost by the following vote:

Yeas—3.

Buchanan of Bell.	Page.
Clark.	

Nays—22.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	Parr.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Present—Not Voting.

McNealus.

Absent.

Bailey.	Hall.
Floyd.	Strickland.
Gibson.	

### House Bill No. 232.

The Chair laid before the Senate on second reading:

H. B. No. 232, A bill to be entitled "An Act to amend Article 762, Title 22, Chapter 1, Revised Civil Statutes of the State of Texas, 1911, relating to the incorporation of cities, towns and villages with a population of 600 or more inhabitants, and providing that cities, towns and villages with any number of inhabitants having any manufacturing establishments within the corporate limits, and which may be subject to the provi-

sions of the Act known as 'Chapter 23 of the Acts of the Regular Session of the Thirty-fourth Legislature, page 38,' which was approved by the Governor on February 25, 1915, or any amendment thereto, may become incorporated as a city or town, and accept the provisions of Title 22, relating to cities and towns, in lieu of any existing charter, and prescribing the manner of so doing, and further providing that when such city, town or village is so incorporated the same shall be known as a city or town, subject to the provisions of Title 22 of the Revised Civil Statutes of the State of Texas, 1911, relating to cities and towns, and vested with all the rights, powers, privileges, immunities and franchises therein conferred."

The committee report that the bill be printed in the Journal only was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Carlock, was passed to its third reading.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 13, 1919.  
Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House Has refused to grant the request of the Senate for a conference committee on S. C. R. No. 15, providing for sine die adjournment.

Respectfully submitted,

T. B. REESE,  
Chief Clerk, House of Representatives.

#### House Bill No. 257.

The Chair laid before the Senate on second reading:

H. B. No. 257, A bill to be entitled "An Act to amend Article 7383 of the Revised Civil Statutes of the State of Texas, of 1911, requiring each and every individual, company, corporation or association, whether in corporation under the laws of this, or any other State or territory of the United States or of any foreign country, which owns, control manages or leases any oil well within this State to make quarterly on the first days of Janu-

ary, April, July and October of each year a report to the Comptroller of Public Accounts, under oath of the individual or of the president, treasurer or superintendent of such company, corporation or association, showing the total amount of oil produced during the quarter next preceding and the average market value thereof during said quarter. And providing that said individuals companies, corporations and associations at the time of making said report, shall pay to the Treasurer for the State of Texas an occupation tax for the quarter beginning on said date, equal to two (2) per cent of the total amount of all oil produced at the average market value thereof as shown by said report, and declaring an emergency."

Senator Dean moved the adoption of the majority (favorable) committee report.

As a substitute, Senator Carlock moved the adoption of the minority report carrying amendments.

Pending.

#### Adjournment.

At 5:40 o'clock p. m. Senator Caldwell moved that the Senate adjourn until 5:45 o'clock today.

As a substitute Senator Clark moved to adjourn until 10 o'clock tomorrow. The substitute motion was lost.

The motion to adjourn until 5:45 o'clock today prevailed.

#### APPENDIX.

##### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, March 11, 1919.  
Hcn. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 328 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 11, 1919.  
Hcn. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 380 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

## Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 308 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

## Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 343 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 350 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

## Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 289 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

## Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 100 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

## Committee Reports.

## Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 567, A bill to be entitled "An Act to amend Chapter 21, Acts of the First Called Session of the Thirty-fourth Legislature granting to J. J. Kane, of the city of Galveston, his heirs and assigns, certain sub-

merged flats or lands on the shore of Galveston Bay for the purpose of constructing a dry dock or marine railway thereon, so as to provide for an extension of the time in which the sum of not less than \$150,000.00 should be expended in the construction thereof, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

CALDWELL, Chairman.

## Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 577, A bill to be entitled "An Act to validate the sales of Public Free School Land sold on September 25, 1895, and declaring an emergency,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass and be not printed.

CALDWELL, Chairman.

## Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office to whom was referred

H. B. No. 173, A bill to be entitled "An Act to validate the sale of Public Free School and Asylum Land in cases where the purchasers settled on the same but failed to file his affidavit in the General Land Office within the time prescribed by law,"

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass and be not printed.

CALDWELL, Chairman.

## Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred

House Joint Resolution No. 38, being a resolution to be entitled "House Joint Resolution proposing

an amendment to Article 16 of the Constitution of the State of Texas, by adding a new Section thereto to be known as Section 59; providing that the Legislature shall have power to enact laws authorizing a division of the net proceeds arising from the operation of the prison system of this State between the State and prisoners confined in the penitentiary of their dependents; providing for the submission of a proposed amendment to a vote of the people, and making an appropriation to defray the expenses of such election."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

BUCHANAN of Bell, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred H. B. No. 288, A bill to be entitled "An Act to extend the time of payment of 1918 taxes to January 31, 1920, and to stay all penalties, interest and costs on same for said time, and to prohibit the filing of suits and taking of judgment on any taxes delinquent for any former years during said time, and to apply to the following counties, to-wit: Atascosa, Archer, Bandera, etc., and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following committee amendment, and be not printed:

Amend the bill and caption thereof so as to exempt Atascosa, Medina and Zavalla Counties from the provisions of this Act by striking out said counties wherever they occur in the bill and the caption.

BELL, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 598, have had the same under consideration and I am directed

to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 603, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 605, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 608, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred H. B. No. 266, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

(Minority Report)

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, the minority of your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 205, A bill to be entitled "An Act to amend Articles 1142, 1144, 1148 and 1149 of the Code of Criminal Procedure, 1911, by providing that counties shall hereafter furnish and pay all necessary expense for the safekeeping, support and maintenance of prisoners confined in jail or under guard upon proper bills being presented therefor, incurred in the manner now provided by law for the purchase of supplies by counties, and providing for the filing of a report of all prisoners confined by the sheriff and supervision of the feeding of prisoners by the Commissioners Court and repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

GIBSON.

(Majority Report.)

Committee Room.

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, the majority of your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 205, A bill to be entitled "An Act to amend Articles 1142, 1144, 1148 and 1149 of the Code of Criminal Procedure, 1911, by providing that counties shall hereafter furnish and pay all necessary expense for the safekeeping, support and maintenance of prisoners confined in jail or under guard upon proper bills being presented therefor, incurred in the manner now provided by law for the purchase of supplies by counties, and providing for the filing of a report of all prisoners confined by the sheriff and supervision of the feeding of prisoners by the commissioners' court and repealing all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do not pass.

PARR, Chairman.

By Hall, et al.

H. B. No. 205.

A BILL  
To be entitled.

An Act to amend Articles 1142, 1144, 1148 and 1149 of the Code of Criminal Procedure, 1911, by providing that counties shall hereafter furnish and pay all necessary expense for the safe-keeping, support and maintenance of prisoners confined in jail or under guard upon proper bills being presented therefor, incurred in the manner now provided by law for the purchase of supplies by counties, and providing for the filing of a report of all prisoners confined by the sheriff and supervision of the feeding of prisoners by the Commissioners' court and repealing all laws in conflict therewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1142 of the Code of Criminal Procedure, 1911, shall be so amended as to hereafter read as follows:

Article 1142. All expenses for supplies, labor or materials necessary for the care, feeding and maintenance of prisoners confined in jail or under guard, shall be incurred and paid for by the county in the manner now provided by law for the purchase of supplies by counties upon requisitions therefor by the sheriff, including necessary medical bills or reasonable funeral expenses in case of death, provided that this Act shall not be construed so as to repeal any part of Title 29, Chapter 2, Revised Civil Statutes, 1911, and shall be cumulative thereof.

Sec. 2. That Article 1144 of the Code of Criminal Procedure, 1911, shall be so amended as to hereafter read as follows:

Article 1144. It is the duty of the sheriff to pay the expenses of jurors impanelled in cases of felony, except where they are paid by the juror himself, for which he shall be reimbursed by the proper county according to the rates fixed by law. It shall be the duty of the sheriff to guard, feed and care for all prisoners legally committed to his care, the expense for which shall be paid in the manner provided by Articles 1142 and 1143 of this Code.

Sec. 3. That Article 1148 of the Code of Criminal Procedure, 1911, shall be amended as to hereafter read as follows:

Article 1148. At each regular term of the Commissioners' Court the sheriff shall file his report under oath, setting forth the name of each prisoner confined in jail or under guard and show upon what charge held and the day and hour received or released, together with a list of the expense incurred and the supplies on hand, and he may include any other facts or recommendations desired. Said report shall be carefully checked by the county auditor, if there be one for said county, who shall report his findings to the commissioners' court.

Sec. 4. That Article 1149 of the Code of Criminal Procedure, 1911, shall be so amended as to hereafter read as follows:

Article 1149. The report of the sheriff shall be filed in the office of the clerk of the county court, and shall be open to the inspection of any person desiring to see the same. It shall be the duty of the Commissioners' Court to examine the same together with the report of the auditor, and to supervise from time to time the feeding of prisoners, and to enter such orders as may be necessary to enforce their adequate care and maintenance.

Provided the commissioners' court shall make an allowance to the sheriff out of the general fund of the county, in such sum as in its judgment is reasonable and just, as compensation for his ex-officio services rendered in the care, feeding and maintenance of the prisoners; provided, such ex-officio compensation shall not increase the compensation of the sheriff beyond the maximum amount now allowed by law.

Provided, however, that the provisions of this Act shall not take effect and be in force until on and after December the first, 1920.

Sec. 5. The fact that there is now no law authorizing counties to feed and care for prisoners by contracting for and furnishing supplies for said purpose, creates an imperative public necessity and an emergency requiring that the constitutional rule requiring bills to be read on three several days be and is hereby suspended, and that this Act shall take effect from and after its passage, and that it is so enacted.

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional amendments to whom was referred

H. J. R. No. 29, A resolution to be entitled

"A Joint Resolution to amend Article 7, Section 10, 11, 12, 13, 14 and 15, of the Constitution of the State of Texas, which article relates to education, and which section provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and for a branch college for the institution of colored youths, and which amendments provide for the permanent location of the University of Texas, the Agricultural and Mechanical College of Texas, the Prairie View State Normal and Industrial College and the State College of Industrial Arts; provide that the Texas State Medical College and the School of Mines at El Paso. shall be branches of the University of Texas and for their permanent location; providing that said University, said Agricultural and Mechanical College, and said College of Industrial Arts shall be separate State Institutions and independent in organization; provides for the sale of the lands belonging to the University of Texas permanent fund, and for the division of the proceeds of such sale and all securities between the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College; directs that the respective parts of each shall become the permanent fund of each institution and how it shall be invested; provides that the University of Texas and the Agricultural and Mechanical College of Texas may utilize the permanent fund of each as a basis for the issuance of bonds for improvements, and for redemption of such bonds from the income of such permanent funds; provides that the governing board of the Agricultural and Mechanical College may make provision for permanent buildings for the Prairie View Normal and Industrial College from the proceeds of bond issues by the said Agricultural and Mechanical College; and declares said Prairie View Normal and Industrial College a constitutional branch of the Agricultural and Mechanical College; provides that the Legislature shall make provisions by appropriation or tax levy, or both, for the maintenance of the University of Texas and the

Agricultural and Mechanical College and for the development and support of the College of Industrial Arts, the Normal Schools, and Prairie View State Normal and Industrial College; provides for authority to the University of Texas and the Agricultural and Mechanical College, pending division of the University endowment, to issue bonds redeemable from the income of the endowment, and granting authority to the Legislature to make appropriations to supply any deficiency; provides that the Legislature shall give encouragement and direction to the development of a University of the first class, and an Agricultural and Mechanical College of the first class, and a College of Industrial Arts of the first class; provides for the submission of this proposed amendment of the Constitution to the people, fixing the date for election to be held, and making an appropriation to pay the expenses of said election."

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed in bill form but be printed in the Journal only.

BUCHANAN of Bell, Chairman.

By Thomason                      H. J. R. No. 29.  
of El Paso.

#### HOUSE JOINT RESOLUTION

To be entitled.

A Joint Resolution to amend Article 7, Sections 10, 11, 12, 13, 14 and 15, of the Constitution of the State of Texas, which article relates to education, and which sections provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and for a branch college for the instruction of colored youths, and which amendments provide for the permanent location of the University of Texas, the Agricultural and Mechanical College of Texas, the Prairie View State Normal and Industrial College and the State College of Industrial Arts; provide that the Texas State Medical College and the School of Mines at El Paso, shall be branches of the University of Texas and for their permanent location; provides that said University, said Agricultural and Mechanical College, and said College of Industrial Arts shall be

separate State institutions and independent in organization; provides for the sale of the lands belonging to the University of Texas permanent fund, and for the division of the proceeds of such sale and all securities between the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College; directs that the respective parts of each shall become the permanent fund of each institution and how it shall be invested; provides that the University of Texas and the Agricultural and Mechanical College of Texas may utilize the permanent fund of each as a basis for the issuance of bonds for improvements, and for redemption of such bonds from the income of such permanent funds; provides that the governing board of the Agricultural and Mechanical College may make provisions for permanent buildings for the Prairie View Normal and Industrial College from the proceeds of bond issues by the said Agricultural and Mechanical College; and declares said Prairie View Normal and Industrial college a constitutional branch of the Agricultural and Mechanical College; provides that the Legislature shall make provisions by appropriation or tax levy, or both, for the maintenance of the University of Texas and the Agricultural and Mechanical College and for the development and support of the College of Industrial Arts, the Normal Schools, and Prairie View State Normal and Industrial College; provides for the authority to the University of Texas and the Agricultural and Mechanical College, pending division of the University endowment, to issue bonds redeemable from the income of the endowment, and granting authority to the Legislature to make appropriations to supply any deficiency; provides that the Legislature shall give encouragement and direction to the development of a University of the first class, and an Agricultural and Mechanical College of the first class and a College of Industrial Arts of the first class; provides for the submission of this proposed amendment of the Constitution to the people, fixing the date for election to



be held, and making an appropriation to pay the expenses of said election.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Sections 10, 11, 12, 13, 14 and 15 of Article VII of the Constitution of the State of Texas, which Article relates to education, and which sections provide for the establishment and support of the University of Texas, the Agricultural and Mechanical College of Texas, and a branch college or university for the instruction of colored youths, be amended to read as follows:

Sec. 10. In pursuance of constitutional authority and direction the State having established the University of Texas at Austin, in Travis County; the Agricultural and Mechanical College of Texas at College Station, in Brazos County; and the Prairie View State Normal and Industrial College for the instruction of colored youths of the State, at Prairie View, in Waller County; and the Legislature having established the State College of Industrial Arts at Denton, in Denton County, the Legislature shall not have authority to remove either institution from its present location. The Texas State Medical College, located at Galveston in Galveston County, and the School of Mines, located at El Paso, in El Paso County, are constituted branches of the University of Texas, and shall not be removed from their present location. And the said University of Texas, the said Agricultural and Mechanical College of Texas, the said College of Industrial Arts for white girls, are hereby declared separate State institutions and independent in organization.

Sec. 11. To better enable the University of Texas and its constitutional branches, the Agricultural and Mechanical College of Texas and the Prairie View State Normal and Industrial College, to fulfil the purposes for which created, all lands and other property heretofore set apart and appropriated for the establishment, endowment and maintenance of the University of Texas and its constitutional branches, together with the proceeds of the sale of such lands heretofore made, or hereafter to be made for the support and benefit of either institution, shall constitute a permanent fund for the University of Texas, the Agricultural and Mechanical College of Texas, and for the

Prairie View State Normal and Industrial College, provided, that when the permanent University endowment shall, by constitutional aid statutory authority, be apportioned to the institutions named it shall be divided between the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal Industrial College in the following manner: To the University of Texas, sixty-six and two thirds (66 2-3) per cent, and to the Agricultural and Mechanical College of Texas, thirty-three and one third (33 1-3) per cent; and the governing board of the Agricultural and Mechanical College of Texas shall apportion to the Prairie View State Normal and Industrial College for Colored youths such part of, or interest in, the said thirty-three and one third (33 1-3) per cent as may be determined equitable by said governing board. The principal of all funds accruing to each institution from the division of the University endowment under the provisions of this section shall, whenever the said endowment is divided, constitute the permanent fund for each, and shall be invested as the permanent public free school fund is now or may hereafter be authorized by law to be invested; and the governing boards of the University of Texas and the Agricultural and Mechanical College of Texas shall be authorized, with the approval of the Governor, and in the manner to be provided by law, to issue bonds for permanent improvements, such bond issues to be based upon the permanent funds of the institution issuing them; and the governing board of each institution shall make provision from the income derivable from its permanent fund for the payment of all bonds issued under its authority as may be provided by law.

Sec. 12. The lands set apart to the University fund shall be sold under such regulations, at such time, and on such terms as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of University lands heretofore sold, or that may hereafter be sold, and shall in either event have the power to grant relief to the purchasers. And, until such time as the University endowment fund shall be divided, in accordance with constitutional and statutory authority, the proceeds

from the sale of lands, as realized and received into the Treasury of the State, together with such sum belonging to the funds as may now be in the Treasury, shall be vested as the permanent public free school fund is now or may hereafter be authorized by authority by law to be invested; and the interest accruing thereon, and any income from the use of the said University lands, shall be subject to appropriation by the Legislature and may be available for the redemption of bonds based on the University endowment and to be redeemed from the said interest and income from the use of land, as may be provided by law, to aid in the construction, equipment, and maintenance of the University of Texas and the Agricultural and Mechanical College of Texas, and the total of such bond issues outstanding shall at no time exceed five and one-half million dollars, and the Legislature is hereby authorized to appropriate out of the general revenues of the State such moneys as may be necessary to cover deficiencies in the interest and sinking fund accounts of the bond issues herein provided for. Provided, that the one tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of "The University of Texas" by an Act of the Legislature of February 11, 1858, entitled "An Act to establish 'The University of Texas,'" shall not be included in or constitute a part of the permanent University fund.

Sec. 13. The Legislature shall provide by appropriation, or in its discretion, by tax levy, or by both appropriation and tax levy, for the equipment, maintenance, and development of the University of Texas, and the branches of the said institution named in this Article and such other branches as may hereafter be established by law; for the Agricultural and Mechanical College of Texas, and its branches as now or hereafter may be established by law; for the College of Industrial Arts for the education of White Girls; for the State Normal Schools as may be established in accordance with the law; and for the Prairie View State Normal and Industrial College for colored youths; and the Legislature shall, in the event a tax levy is authorized, determine the manner for securing

the equitable distribution of such tax levy among the said institutions. Provided further that the provisions of this section shall not be construed to give the Legislature power to levy taxes in excess of the limit now prescribed by the constitution, or which may be hereafter prescribed by the constitution.

Sec. 14. The Legislature shall give encouragement and direction to and make provisions for the educational activities of the respective institutions provided for in this article, and as may be adequate for the promotion of literature and the arts and sciences, pure and applied, and for instruction in the profession, of a University of the first class; and for instruction in all those branches of learning which relate to agriculture, animal husbandry, the natural sciences, pure and applied, connected therewith, the mechanic arts and military science and tactics, requisite to the development of an Agricultural and Mechanical College of the first class; and for the education of white girls in the literary branches, the arts and sciences, and in social and domestic economy of the age, as may be necessary to establish and maintain a College of Industrial Arts of the first class for white girls, and instruction in all the branches requisite to the development of normal schools of the first class.

Sec. 15. The Prairie View State Normal and Industrial College for the instruction of colored youths of the State, having been located at Prairie View, in Waller county, as a branch of the University of Texas, is hereby declared a branch of the Agricultural and Mechanical College of Texas. And in lieu of the separate apportionment of a part of the University endowment, as authorized in Section 11 hereof, the said Board of Directors of the Agricultural and Mechanical College may apportion to the Prairie View State Normal and Industrial College such part of any funds realized from an authorized bond issue by the board for the purpose of permanent improvements as the board may determine to be equitable and the fund so apportioned shall be available only for the purpose of constructing permanent improvements for the said Prairie View State Normal and Industrial College.

Sec. 2. The Governor of this State is hereby directed to issue and

have published the necessary proclamation for the submission of this proposed amendment to the Constitution of the State, to the qualified voters of the State, said election to be held throughout the State on the first Tuesday in November, 1919, and all voters favoring the amendment shall have written or printed on their ballots the words: "For the amendments to Sections 10, 11, 12, 13, 14 and 15 of Article VII of the Constitution of the State of Texas, fixing the constitutional status of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts at Denton, Texas; the Sam Houston Normal Institute at Huntsville, Texas; the North Texas State Normal at Denton; the Southwest Texas State Normal at San Marcos, Texas; the West Texas State Normal at Canyon, Texas, and the East Texas State Normal at Commerce, Texas, and other State educational institutions, and determining the interest, respectively, of the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the University permanent fund; and providing for the support, direction, and development of State educational institutions."

Those opposing the amendment shall have written or printed on their ballots the words:

"Against the amendments to Sections 10, 11, 12, 13, 14 and 15 of Article VII of the Constitution of the State of Texas, fixing the constitutional status of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts at Denton, Texas; the Sam Houston Normal Institute at Huntsville, Texas; the North Texas State Normal at Denton, Texas; the Southwest Texas State Normal at San Marcos, Texas; the West Texas State Normal at Canyon, Texas, and the East Texas State Normal at Commerce, Texas, and other State educational institutions and determining the interest, respectively, of the University of Texas, the Agricultural and Mechanical College of Texas, and the Prairie View State Normal and Industrial College in the University permanent fund; and providing for the support, direction, and development of State educational institutions."

Sec. 3. The Governor is hereby directed to submit this amendment to

the qualified voters at an election to be held throughout the State on the date herein specified, and the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated, for the purpose of issuing the proclamation and publishing the amendments as required by the Constitution and laws of this State.

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 112, A bill to be entitled "An Act to provide for the establishment and maintenance of a State Home for Independent and Neglected White Children, to locate the same and provide for its control and management, making appropriation for such purposes, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be printed in the Journal only, with the following committee amendment:

Amend Section 13, line 3, by erasing the figures "\$100,000.00" and insert in lieu thereof the figures "\$200,000.00."

WESTBROOK, Chairman.

By Thomason H. B. No. 112.  
of Nacogdoches.

A BILL

To Be Entitled

An Act to provide for the establishment and maintenance of a State Home for Dependent and Neglected White Children, to locate the same and provide for its control and management, making appropriation for such purposes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there be established and maintained at some place in the State of Texas, to be selected by the Governor, Comptroller and Superintendent of Public Instruction, where suitable farm lands may be secured, a home or homes upon the cottage plan for the proper care, education and training of dependent and neglected white children, to be known as the State Home for Dependent and Neglected Children.

And the Governor, together with the Comptroller and State Superintendent of Public Instruction shall constitute a board for the purpose of selecting a site and having said buildings erected, and shall have full power and authority to do and perform the things necessary to carry out the purpose of this Act.

Sec. 2. It shall be the purpose of this Home and School to provide an institution of care, education and training for the dependent and neglected white children of this State, who by their unfavorable surroundings have become dependent or children who have become neglected from the want of care or attention of their parents or guardian and need the care and attention not heretofore provided and in the accomplishment of this Act the Board of Control shall provide wholesome and proper quarters, exercise and diversion and shall make provisions for training in all the useful arts and sciences to which such children are adapted and to prepare them for manhood and womanhood and independence.

Sec. 3. The State Home for Independent and Neglected White Children shall be under the control and management of a board of control composed of five persons, one of whom shall be the State Superintendent of Public Instruction of the State of Texas; another shall be the State Health Officer; the remaining three to be appointed by the Governor of Texas, at least one of whom shall be a woman. One of the three members to be selected by the Governor shall be appointed for a term to end January 21st, 1921; one of them for a term to end January 1, 1925. At the expiration of each term a successor shall be appointed by the Governor then in office for a term of six years.

Sec. 4. The Board of Control shall employ as superintendent of this Home a person of previous experience and training in a similar institution, who shall have power to appoint and discharge all subordinate officials and teachers for said Home which may be necessary to employ, and said board shall fix the salary of superintendent and all employes, and said board shall also have full authority to remove the superintendent on account of inefficiency, incompetency, inattention to the du-

ties of a superintendent, misconduct or malfeasance in office, and the decision of said board as to inefficiency, inattention to the duties of a superintendent, misconduct or malfeasance in office shall be final.

Sec. 5. Whenever any child, male or female, under the age of sixteen years, shall be brought before any juvenile court within this State, upon petition of any person within this State, or the Humane Society, or any institution of a similar purpose or character, charged with being a dependent or neglected child as these terms are defined in the statutes of this State, the court may, if in the opinion of the judge, the Home for Dependent and Neglected Children is the proper place for said children, commit such child to said Home during its minority; provided that no child who is feeble-minded, epileptic or insane and that any child who is afflicted with a venereal, tubercular or other communicable disease shall not be assigned to this institution until cured of such disease or diseases. No child shall be admitted to the Home until he has been examined by the physician of the Home to be appointed by the Board of Control of same and such physician issuing certificate showing the exact state or condition in reference to said qualifications herein above enumerated.

Sec. 6. It shall be the duty of the court committing any child to the State Home for Dependent and Neglected Children to prepare a transcript of all proceedings had and done in same and attach thereto a certificate of the County Health Officer of such county to said transcript. If it be a girl or baby or infant committed to said Home, the judge of the court shall designate some reputable woman to convey said girl, baby or infant to said institution. The cost of conveying any child to said institution shall be paid out of the general fund of the county from which they are committed and provided that no compensation shall be allowed beyond actual and necessary expenses of the party conveying and the child conveyed.

Sec. 7. No child shall be dismissed until some suitable home has been found for it or it has become able to be self-supporting and only then upon the written recommendation of the superintendent to the Board of

Control, or when any ward committed to said institution has become married with the consent of the Board of Control and superintendent. Children shall be placed for adoption only in homes where proper support and training can and will be given. Any child above the age of ten years and not adopted, but who goes out from this Home, either under the custody of some adult or as self-supporting, shall continue under the supervision and guidance of the Board of Control of said institution who shall require that the person or persons under whose care the child is placed or the child himself or herself shall write bi-weekly letters to the Board of Control for first six months and then monthly thereafter. The Board of Control, the superintendent of said Home or some other employe of said Home may visit the place where said child is adopted, living or employed, and it shall be the duty of the person having said child in adoption or custody to answer all questions asked by said visiting committee concerning the conduct, employment, treatment or conditions of said child. If in the judgment of the Board of Control it should be to the best interests of said child that it be returned to said Home, the Board is hereby empowered to have it returned.

Sec. 8. The Board of Control shall make all necessary rules and regulations for the proper government of said Home, and shall see to it that the time of children is properly distributed between the school of letters and the industrial and domestic pursuits according to what is deemed for their best interests and the facilities at hand, and the superintendent shall from time to time make such recommendation to said Board as may to him or her seem to be the best interests of all the children committed to said Home.

Sec. 9. It shall be the duty of the Board of Control to give diplomas or certificates of proficiency for grades of literary or any industrial school that may be established, by the Board.

Sec. 10. It shall be the duty of all Juvenile Courts in this State to give preference to this Home to those children of tender years, and said courts shall not commit to said Home children under the age of sixteen years who are known to be habitual

violators of the laws of this State or who have theretofore been committed to any other institution of this State or to the State School for the Training of Juveniles at Gatesville and Gainesville, Texas, and the Board of Control is hereby authorized and empowered to refuse admittance to such juveniles or if, after they are committed to the State Home for Dependent and Neglected Children, their conduct should be of such nature and character as to contaminate the interests of other children in said Home, the Board of Control, upon proper application, shall have the authority and it shall be the duty of the Superintendent of the State School for the Training of Juveniles to accept said child in said institution.

Sec. 11. Any person who shall persuade, coerce, employ, induce in any manner any child who has been committed to said Home from any institution or from any home selected by the persons herein empowered to make such selections without the knowledge and consent of such persons shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$100.00 and not more than \$500.00 or be imprisoned in the county jail for not less than sixty days nor more than six months, or by both such fine and imprisonment.

Sec. 12. If at the time this Act becomes effective there shall be no Board of Control and it becomes necessary for the Board herein authorized to be created to act, they shall be paid such amounts as will be necessary to cover actual expenses incurred in the discharge of the duties of said Board.

Sec. 13. There is hereby appropriated out of the general revenue of the State of Texas not otherwise appropriated the sum of one hundred thousand (\$100,000.00) dollars for the purchase of land for a site and erection and equipment of buildings herein provided for.

Sec. 14. Due to the fact that there is no provision made by the State for the care of dependent and neglected children, and especially for the care of those children under the age of ten years and of babies and infants, and the great need for such a Home, creates an emergency and an imperative public necessity that the constitutional rule requiring bills

to be read on three several days be suspended and the same is hereby suspended and that this Act shall be in full force and effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 332, have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal, but not in bill form.

McNEALUS, Chairman.

By McNealus. S. B. No. 332.

#### A BILL

##### To Be Entitled

An Act to prevent any person, firm, association of persons, or corporation, from furnishing water that is impure, unwholesome, unpotable and polluted, for domestic purposes; and to require every person, firm, association of persons, or corporation, public utility, municipality, or other public body, or institution, which shall desire to furnish and supply water for domestic uses, to file with the State Board of Health a petition for permission so to do, together with such plans, specifications and general statement as the State Board of Health shall require; providing for investigation of all proposed and existing water systems by the State Board of Health, and, if upon investigation, it is found that such water furnished, or proposed to be furnished, is a menace, or would be a menace, to the health of human beings, said Board of Health shall require such changes as it may deem necessary so that the water furnished, or proposed to be furnished, may be pure and not a menace to the health of human beings. If upon investigation, the State Board of Health determines that the water furnished, or proposed to be furnished, is not and would not be a menace to the health of human beings, said petition shall be granted, subject to the revocation and suspension at any time the State Board of Health determines that the water furnished is a menace to the

health of human beings; providing that any person, firm, association of persons, corporation, public utility, municipality, or other public body, or institution, who refuses to comply with the provisions of this Act, shall be enjoined from furnishing water for domestic uses; providing that anything done contrary to the provisions of this Act may be deemed a public nuisance, dangerous to health, and may be summarily abated in the manner provided by law; providing certain duties of public officers, under this Act, and the compensation they are to receive for their services; providing penalty for the violation of the provisions of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. It shall be unlawful for any person, firm, corporation, public utility, municipality or other public body or institution to furnish or supply or to continue to furnish or supply of water used or intended to be used for human consumption or for domestic uses or purposes which is impure, unwholesome, unpotable, polluted or dangerous to health, to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution or industrial camp.

Section 2. Whenever any person, firm, corporation, public utility, municipality or other public body or institution shall desire to furnish or supply or to continue to furnish or supply water for domestic uses or purposes to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution or industrial camp, or shall desire to install, add to, modify or alter any of the plant, works, system or sources of supply, it or he shall file as herein provided with the State Board of Health a petition for permission so to do, together with complete plans and specifications and a statement containing a general description and history of the existing or proposed water supply system of proposed changes therein showing the geographical location thereof with relation to the source of the water supply and all the sanitary and health conditions surrounding and

affecting said supply and the works, system and plant, such plans, specifications and general statement to be in such form and to cover such matters as the State Board of Health shall prescribe. Thereupon a thorough investigation of the proposed or existing works, system, plant, water supply and all other circumstances and conditions by it deemed to be material must be made by the State Board of Health; and provided, however, that no person, firm or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than two hundred service connections, shall be required to apply for a permit under the provisions of this section, except upon formal complaint filed with the State Board of Health.

As a part of such investigation, and after ten days' notice by mail to the petitioner, a hearing or hearings may be had before said Board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral and documentary, may be received, a record of which shall be made and filed with said Board. Upon the completion of such investigation, said Board

(a) If it shall determine, as a fact, that the water being furnished or to be furnished or supplied is such that under all the circumstances and conditions it is impure, unwholesome or unpotable, or may constitute a menace or danger to the health or lives of human beings, or that under all the circumstances and conditions the existing or proposed works, system, plant, or water supply, or proposed modifications therein, are unhealthful or insanitary, or not suited to healthful, pure and wholesome water the production and delivery of at all times, it shall deny the prayer of such petitioner, and said Board shall order the petitioner to make such changes as it deems necessary to secure a continuous supply of pure, wholesome, potable and healthful water. Said Board may order the appointing of a competent person, to be approved by the State Board of Health and paid by said petitioner, who shall take charge of

and operate such plant or system so as to secure the results demanded by the State Board of Health; and it may order such repair, alteration or addition to the existing system, plant and works that the water furnished or supplied shall at all times be pure, wholesome, potable and shall not endanger the lives or health of human beings; and said board may order such changes of source of the water supply or installation of purification and refining works and such other measures as shall insure a continuous supply of pure, wholesome and potable water which shall not endanger the lives and health of human beings; which orders shall designate the period within which the required changes are to be made; provided, however, that a temporary permit may be issued by the State Board of Health for said period to permit the petitioner to comply with such order or orders.

(b) If it shall determine, as a fact, that the water being furnished or supplied to such human beings is such that under all the circumstances and conditions it is pure, wholesome and potable and does not endanger the lives or health of human beings, it shall grant to petitioner a permit authorizing petitioner to furnish or continue to furnish or supply such water to such human beings; provided, however, that all permits issued hereunder shall be revocable or subject to suspension by said board at any time that it shall determine, as a fact, that the water being supplied or furnished is or may become impure, unwholesome or unpotable or does or will endanger the lives or health of human beings. The State Board of Health and its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to, enter into and upon any and all places, property, inclosures and structures for the purpose of making and to make examinations and investigations to determine whether any provision of this Act is being violated. The holder of any permit granted by said board under the provisions of this Act may at any time by order of said board be required to furnish to said board, upon demand, a complete report upon the condition and operation of the water

supply, plant, works or system owned, operated or controlled by it, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit. Any person, firm, corporation, public utility, municipality or other public body or institution who shall furnish or supply or continue to furnish or supply water used or intended to be used for human consumption or for domestic uses or purposes, or shall install additions to, modifications or alterations in, any of the existing plant, works, system or sources of supply without having an unrevoked permit from the State Board of Health so to do, as in this Act provided, may be enjoined from so doing by any court of competent jurisdiction, at the suit of any person or persons, firm, corporation, municipal or other public corporation whose supply of water for human consumption or for domestic uses or purposes is taken or received from, or supplied or furnished by any such water furnishing or distributing person, firm, corporation, public utility or municipality or other public body or institution, or it or he may be enjoined at the suit of the State Board of Health in the same manner. Anything done, maintained or suffered in violation of any of the provisions of this Act shall be deemed to be a public nuisance dangerous to health and may be summarily abated in the manner provided by law, and it shall be the duty of all and every public officer or officers, body or bodies lawfully empowered so to do to immediately abate the same.

Every person, firm, corporation, public utility, municipality or other public body or institution, or officer, employee or agent thereof upon whom the duty to act is cast, and every person who shall violate any provision or part thereof of this Act, or who shall fail to obey, observe or comply with any direction, order, requirement or demand or any part or provision thereof of the State Board of Health, or who procures, aids or abets any such person, firm, corporation, public utility, municipality or other public body or institution, or officer or employee or agent thereof, in any failure to obey or comply with the provisions of this Act or the orders of the State Board

of Health, as provided in this Act, shall become liable for and forfeit to the State of Texas the penal sum of not more than one thousand dollars for each separate offense. The continued existence of any violation of this Act for each and every day beyond the time stipulated for compliance with any of its provisions or of any order of the State Board of Health as provided herein shall constitute a separate and distinct offense. All penalties are to be recovered by the State in civil action brought by the State of Texas, and such penalties when collected shall be paid into the general fund of the State Treasury.

Every officer, agent or employee of any person, firm, corporation, public utility, municipality, or other public body or institution or person, who shall violate or fail to comply with any of the provisions of this Act or the order of the State Board of Health or any part thereof or who procures, aids or abets in any failure to observe and comply with any such provision, order, or part thereof, is guilty of a misdemeanor and is punishable by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding one year or by both such fine or imprisonment, for each offense. Each day's violation of this provision shall constitute a separate and distinct offense.

Section 3. That there is now no adequate law in this State requiring the person, firm, association of persons or corporation that furnishes water for domestic purposes to furnish pure and wholesome water such as would not be a menace to the health of human beings, creates an emergency and an imperative public necessity, requiring the constitutional rule which requires that bills be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 38, have had same under consideration and I am instructed to report the same back to the Senate with the



recommendation that it do pass and be printed in the Journal, but not in bill form.

McNEALUS, Chairman.

By Dodd.

H. B. No. 38.

#### A BILL

To be entitled

An Act requiring all men to submit to physical examination and furnish to the clerks to whom they apply for license to marry, a certificate from a reputable physician that they are free from venereal disease; prescribing penalties and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the passage of this Act it shall be unlawful for any man to procure a license to marry or to marry in this State unless within five days before he apply for such license or before he shall marry in pursuance of a license procured by another, he shall have been physically examined by a reputable practicing physician or some physician connected with the administration of the Health Laws of the State, and shall have furnished from such physician, as a result of such careful and thorough examination, a written certificate stating that he is free from all venereal disease, which certificate shall be presented to the clerk at the time the license is procured whether the application for the license be made by the man intending to marry or by some one else in his behalf.

Sec. 2. Any person procuring a marriage license for himself or for another, without presenting such certificate and any clerk issuing a license without such certificate shall be guilty of a misdemeanor and fined in any sum not less than fifty dollars (\$50.00), nor more than One Thousand Dollars (\$1,000.00).

Sec. 3. Any physician giving a false certificate shall also be guilty of a misdemeanor and he shall be fined in any sum not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00).

Sec. 4. The fact that there is now no law in this State requiring Health Certificates from parties entering into matrimonial contracts, and the further fact that the absence of this requirement is detrimental to the public health of this State, creates an emergency and an imperative public necessity, requiring that the constitutional rule providing that bills be read on

three several days in each House be suspended, and it is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 348, have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal but not in bill form.

MMcNEALUS, Chairman.

By Dayton.

S. B. No. 348.

#### A BILL

To Be Entitled.

An Act to define and regulate the practice of veterinary medicine, surgery and dentistry; creating a Board of Veterinary Medical Examiners for the examination and licensing of veterinary physicians and surgeons, dentists, and prescribing their powers, duties and qualifications; providing for the proper registration of veterinary physicians, surgeons and dentists, and providing for the revocation of their licenses and fixing suitable penalties for the violation of this Act; repealing Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature and all laws and parts of laws in conflict herewith and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That no person shall practice veterinary medicine or veterinary surgery in any of their branches including veterinary dentistry within this State, unless and until such persons shall have complied with the provisions of this Act.

Section 2. That there shall be a board to be known as the "State Board of Veterinary Medical Examiners," said board to consist of 3 qualified veterinarians who shall have resided and practiced veterinary medicine and surgery under a diploma from a legal reputable college of veterinary medicine for more than five years prior to their appointment. Said board shall be appointed by the Governor within ninety days after his inauguration from a list of eligible

practitioners of veterinary medicine furnished the Governor by the Secretary of the State Veterinary Medical Association, and term of office of its members shall be two years, or until their successors shall be appointed and qualified. No member of the said board shall be a stockholder or a member of the faculty of a board of trustees of any veterinary college. Vacancies occurring in the board shall be filled by the Governor for the unexpired term.

Section 3. The members of said board shall qualify by taking the oath of office before any officer empowered to administer oaths in the county in which each shall respectively live. At the first meeting of said board after each bi-annual appointment, the board shall elect a president, vice-president and secretary-treasurer. Two members shall constitute a quorum. Regular meetings shall be held at least twice each year at such time and places as shall be deemed most convenient for applicants for examination. Due notice of such meetings shall be given by publication in such papers as may be selected by the board. The board may prescribe rules, regulations and by-laws in harmony with the provisions of this chapter, for its own government and proceedings for the examination of applicants for the practice of veterinary medicine and veterinary surgery, said board or member thereof shall have power to administer oaths for all purposes required in the discharge of its duties, and to adopt a seal to be affixed to all official documents. Special meetings of such board may be held upon a call of two members of said board.

Section 4. The board of examiners shall preserve a record of its proceedings in a book kept for the purpose, showing the name, age and place and duration of residence of each applicant, the time spent in study in medical schools, and the year and school from which degrees were granted, or in case where the applicant qualifies as having been engaged in the practice of veterinary medicine in Texas, prior to 1911, same shall show the age, name and place and duration of residence and the number of years engaged in the practice of veterinary medicine in Texas. Said record shall also show whether applicants were rejected on

examination or licensed and shall be prima facie evidence of all matters contained therein. The secretary of the board shall transmit an official copy of said register to the Secretary of State for permanent record, certified copy which with hand and seal of the secretary of the board or of the Secretary of State shall be admitted in evidence in all courts.

Section 5. It shall be unlawful for any one to practice veterinary medicine in any of its branches upon animals within the limits of this State, who has not registered in the district clerk's office of the county in which he resided, his authority for so practicing, as herein prescribed, together with his age, post office address, place of birth and name of school of veterinary medicine from which he graduated. Provided that nothing in this Act shall prohibit any person, who has heretofore registered as a veterinary surgeon in the county of his residence according to the provisions of Chapter 76 of the Acts of the Regular Session of the Thirty-second Legislature who had previous to the year 1911 practiced veterinary medicine or veterinary surgery as his sole occupation for five years in the State of Texas prior to the year 1911, from practicing in the county of his residence without examination by securing a license from the State Board of Veterinary Medical Examiners by filing satisfactory evidence of his former compliance with the requirements of said Act, Chapter 76, Acts of the Regular Session of the Thirty-second Legislature, together with an affidavit that he has practiced veterinary medicine or veterinary surgery continuously for five years prior to 1911, in which affidavit he shall state the place where he has practiced veterinary medicine or veterinary surgery for five consecutive years immediately prior to 1911, together with his place of residence during said period. Provided further that after the passage of this Act, it shall be unlawful for any person to register under the five year practice clause of this section, but the object of this provision is to permit persons who have heretofore registered to continue practicing under the five year clause. That in case if the oaths herein provided for are wilfully false, it shall subject the person making same to conviction and punishment for false swearing. The fact of such oath shall be endorsed

upon the certificate or license as the case may be, but if such person shall remove from such county of residence, he shall comply with all the requirements of this Act before he shall be allowed to practice.

Section 6. It is hereby made the duty of the district clerk of each county in this State to keep a book of suitable size to be known as the "Veterinary Medical Register" of such county and record therein the name and record of each veterinary practitioner who present a certificate from the State board of veterinary examiners. The clerk shall receive the sum of one dollar from each person so registered, which shall be his full compensation for all duties required under this Act. When any person registered in said book shall die, remove from the county or have his license revoked, it shall be the duty of said clerk to make note of the facts thereof at the bottom of the page containing the record of such person as closing the record. On the first of January of each year said clerk shall on request of the board, certify to the office of said board of veterinary medical examiners a correct list of the veterinarians then registered in the county, together with such other information as said board may require. A copy from said register pertaining to any person, certified by said clerk under the seal of said court, also a certificate issued by said officer certifying that any person named therein has or has not registered in said county as required by this Act shall be admitted as evidence in all trial courts.

Section 7. The board of medical examiners may at its discretion arrange for reciprocity in license with the authorities of other states and territories having requirements equal to those established by this law. License may be granted applicants for license under such reciprocity on payment of twenty dollars.

Section 8. All applicants to practice veterinary medicine in this State, not otherwise licensed under the provisions of this Act, must successfully pass the examination before the board of veterinary medical examiners. Applicants to be eligible for examination must present satisfactory evidence to the board that they are more than twenty-one years of age, of good moral character, and graduates of bona fide reputable veterinary med-

ical schools, and a bona fide veterinary medical school shall be one whose requirements for a degree and whose equipment is such as is at present required for the recognition by the Bureau of Animal Industry of the United States Department of Agriculture, or the American Veterinary Association. Application for examination must be made in writing under affidavit to the secretary of the board accompanied by the sum of fifteen dollars. Such applicants shall be given due notice of the date and place of examination. In case any applicant because of failure to pass examination be refused a license such person may be permitted to take a second examination without additional fee.

Section 9. The fund realized from the aforesaid fees shall be applied first to the payment of the necessary expense of the board; any remaining funds shall be applied by order of the board to compensating members of the board at ten dollars per day provided that it shall be unlawful for the board or any member thereof in any manner or for any purpose to charge or obligate the State for the payment of any money and the members of said board shall look alone to the revenue derived from the operation of this Act for his compensation and for the expenses of conducting said board.

Section 10. All examinations shall be conducted in writing in such manner as shall be entirely fair and impartial. The applicants to be known by numbers without names or other methods of identification on examination papers by which members of the board may be able to identify such papers until after the applicants have been granted licenses or rejected. Examinations shall be conducted on the scientific branches of veterinary medicines only, and shall include veterinary anatomy, veterinary pathology, chemistry, veterinary surgery, veterinary obstetrics, veterinary materia medica, veterinary sanitary science, veterinary practice, and veterinary jurisprudence, and veterinary physiology and bacteriology. Upon satisfactory examination under the rules of the board, applicants shall be granted license to practice veterinary medicine. All questions and answers with grades attached shall be preserved for one year and any person rejected shall be entitled to examine his said answers and the

grades attached thereto. All applicants examined at the same time shall be given identical questions in each of the above branches. All certificates shall be attested by the seal of the board and signed by a majority of said board.

Section 11. Nothing in this law shall be so construed as to apply to commission or contract veterinarians in the employ of the United States or the Bureau of Animal Industry of the United States Department of Agriculture in the performance of their duties as such, but shall not engage in private practice, not to legally qualified veterinarians of other States called in consultation but who do not open offices. Nothing in this law shall be construed as to prohibit the sale by licensed druggists of remedies which they recommend for the cure of diseases of animals.

Section 12. The right to practice veterinary medicine in this State may be revoked by any court of competent jurisdiction upon proof of the violation of the law in any regard thereto or for any cause for which the State board of veterinary medical examiners is authorized by law to refuse to admit to its examinations, as hereinafter provided; and it shall be the duty of the several district and county attorneys of this State to file and prosecute appropriate proceedings in the name of the State for violation thereof on request of any member of the board.

Section 13. The State board of veterinary medical examiners may refuse to admit to its examinations or to issue the certificate provided for by this Act for any of the following causes:

The presentation to the board of any license, certificate or diploma which was illegally or fraudulently obtained, or when fraud or deception has been practiced in passing the examination.

Conviction of crime of the grade of a felony, or one which involves moral torpitude.

Other grossly unprofessional or dishonorable conduct of a character likely to deceive or defraud the public; or for habits of intemperance or drugs addiction calculated to endanger the lives of patients; provided that any applicant who may be refused admittance to examination before said board shall have his right of action to have such issue tried in

the district court in the county in which some member of the board shall reside.

Section 14. Any person shall be deemed as practicing veterinary medicine or veterinary surgery or dentistry who professes publicly to be a veterinary physician or dentist, or who appends to his name any initials or title implying qualifications to practice veterinary medicine or who shall treat, operate or prescribe for any physical ailment or deformity of any domestic animal for which he shall receive compensation, or any county demonstration or farm demonstration agent while in the employment of any county, State or Federal Government on a salary or treating or attempting to treat any animal for any disease, ailment or deformity. Nothing in this Act shall apply to persons gratuitously treating animals. It is further provided that the operations known as "Dehorning," "Castrating," or spraying shall not be construed as the practice of veterinary medicine or surgery nor the vaccination of cattle for blackleg as the practice of veterinary medicine.

Section 15. Every person desiring to practice veterinary medicine or veterinary surgery within this State, whether under a license issued by the board upon examination, or by qualifying before the board of examiners as having practiced for more than five years prior to the year 1911, as provided for herein, as well as those who have been previously examined by the board of veterinary medical examiners under the Act of 1911, and who desire to continue in the practice of the profession of veterinary medicine shall within sixty days after the passage of this Act file with the secretary of the board an application for renewal thereof, which application shall be accompanied by the fee hereinafter prescribed. If the board shall find that the applicant has been legally licensed or registered in this State, they shall issue to him a certificate attesting this fact. On or before the 1st day of March each year, each practicing veterinary physician in the State shall file with the secretary of the board of veterinary examiners his application for renewal of his license to practice. Said application shall be made on forms to be furnished by the board on which shall appear the name, age, and residence of the applicant, and whether prac-

ticing under a license issued by the board after examination or whether under the provisions of Chapter 76, Acts of 1911, as to practice of veterinary medicine for five years prior to 1911. All such applications shall be accompanied by a fee of one dollar. In case any person practicing veterinary medicine or veterinary surgery shall fail for a period of sixty days after the expiration of his license to make application to the board for its renewal, his name shall be erased from the register of licensed veterinarians, and before such person may again practice veterinary medicine he shall be required to take the examination before the board, unless, however, such person has been prevented from applying for renewal for good cause, of which the board shall be the judge of the sufficiency thereof. All license issued under the provisions of this Act shall expire on the 1st day of March of each year, and may be renewed by complying with the provisions of this Act.

Section 16. The terms veterinarians, veterinary medicine, veterinary surgery, veterinary physician and veterinary dentist as used in this Act shall be construed as synonymous.

Section 17. That it shall be a misdemeanor and disqualify from office on the board for the board or any member thereof to issue any certificate provided for herein to any person only as set forth, herein, or to give any applicant prior to examination a list of questions to be propounded at any examination.

Section 18. That the grand jury of each county in this State is hereby given inquisitorial power over all offenses of violations of this Act, and the judge of the district courts of the State shall give the same in their charges to the grand jury; and it shall be the duty of the board of veterinary examiners, or any member thereof, to report any violations of this Act to the proper authorities.

Section 19. That every person who practices or attempts to practice veterinary medicine, surgery and dentistry in this State without first having complied with the provisions of this Act shall for each and every day of such practice be guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of not less than twenty-five dollars not more than two hundred dollars.

Section 20. All laws and parts of laws heretofore passed by the Legislature governing the practice of veterinary medicine are hereby repealed, especially Chapter 76, Acts 1911, regular session of the 32nd Legislature.

Section 21. In case any article or part thereof is held unconstitutional, the same shall not affect the other section hereof.

Section 22. In view of the fact that correspondence schools are advertising and selling diplomas to the citizens of this State and thereby defrauding the public, by representing that the holders of such diplomas are permitted to take examinations before the State Board of Veterinary Medical Examiners, and the fact that the existing laws regulating the practice of veterinary medicine, surgery and dentistry and creating a board of veterinary medical examiners, and prescribing its powers, duties and qualifications, are insufficient, creates an imperative public necessity requiring the rules requiring the bills to be read on three several days be suspended and the same are suspended and that this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 407 A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to sell all petroleum, oil and natural gas, in all lands owned by the State of Texas, the public free school fund, University or Asylum fund, and such lands as the State has heretofore sold or may hereafter sell with reservation of mineral rights therein, and upon such lands as may have been purchased with waiver of mineral rights, defining the terms and conditions upon which such sale shall be made; providing for the collection and deposit of the funds derived from such sale; declaring null and void all permits issued to prospects for oil and gas where operations have not actually been begun; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to

the Senate with the recommendation that it do pass, with the following committee amendments, and be not printed but printed in the Journal.

CALDWELL, Chairman

#### Committee Amendments.

(1) Amend H. B. No. 407, by striking out Section 7 and in lieu thereof, insert the following:

Section 7. In the event the minerals in the lands of a surface owner shall have been applied for or a permit shall have been issued thereon prior to the taking of effect of this Act, the surface owner shall nevertheless have the preference right to purchase said minerals as herein provided and shall receive patent therefor, which shall confirm the rights of the permit holder or applicant, and such permit holder, or applicant shall be entitled to all the rights and privileges thereunder, except that the surface owner shall receive one-sixteenth of all the oil and gas in said land.

(2) Amend H. B. No. 407, by striking out Section 8 and in lieu thereof insert the following:

Section 8: The surface owner shall have the right to acquire the minerals on all lands owned by him.

(3) Amend H. B. No. 407, by striking out the figures 1280 wherever they appear in the bill and insert in lieu thereof 2560.

(4) Amend H. B. No. 407, by striking out the words "ten miles" wherever they appear in the bill and insert in lieu thereof the words "five miles."

(5) Amend H. B. No. 407, as follows:

Strike out of Section 1 the words "and other public land, fresh water lakes, islands, bays, marshes, reefs and salt water lakes," and insert after the word "asylum," the word "lands."

Strike out of Section 2 after the word "asylum" the words "or other public."

Strike out of Section 2 the words "also in any of the fresh water lakes owned by the State."

Strike out of Section 2 the words "and also in any of the islands, bays, marshes, reefs and salt water lakes."

Strike out of section 3 the words "or salt water lakes," where they appear in two places.

Strike out of Section 4 the words "in any of the State's islands, salt water lakes, bays, marshes, reefs, and fresh water lakes owned by the State or"

Amend H. B. No. 407, by adding the words "filed on" after the word "heretofore" in line 25, page 4.

By Stewart.

H. B. No. 407.

#### A BILL

#### To Be Entitled

An Act authorizing the Commissioner of the General Land Office to sell all petroleum, oil and natural gas in all lands owned by the State of Texas, the public free school fund, university or asylum fund, and such lands as the State has heretofore sold or may hereafter sell with reservation of mineral rights therein, and upon such lands as may have been purchased with waiver of mineral rights; defining the terms and conditions upon which such sale shall be made; providing for the collection and deposit of the funds derived from such sales; declaring null and void all permits issued to prospects for oil and gas where operations have not actually been begun; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All public school, university, asylum and other public land, fresh water lakes, islands, bays, marshes, reefs and salt water lakes belonging to the State of Texas, and all lands which may hereafter be so owned, all lands which have been heretofore sold or disposed of by the State of Texas with a reservation of petroleum, oil or natural gas rights therein, shall be included within the provisions of this Act, and such rights shall be sold by the Commissioner of the General Land Office under the provisions hereof. Only citizens of the United States shall be entitled to acquire any rights under this Act.

Sec. 2. Any person or association of persons or corporation desiring to purchase petroleum, oil and natural gas that may be in any of the surveyed public free school land, university or asylum or other public lands of the State which may be unsold and which is subject to sale under this Act, at the time such desire is made known as herein provided, or in any of such land which has heretofore been sold with the reservation of petroleum, oil and natural

gas therein to the public free school or other fund, or in any said land that may hereafter be sold with the reservation of minerals therein, also in any of the fresh water lakes owned by the State or public free school fund or other fund, and also in any of the islands, bays, marshes, reefs and salt water lakes, may do so under the regulations, terms and conditions of this Act.

Sec. 3. One desiring to purchase the petroleum, oil and natural gas that may be in any of the surveyed lands mentioned herein shall first file with the clerk of the court of the county in which the area desired or a portion thereof is situated or with the clerk of the county to which said land may be attached for judicial purposes a separate application in writing for each tract applied for, designating the land in which he desires to acquire the aforesaid rights. No individual or corporation shall be allowed to purchase the petroleum, oil and gas in exceeding 1280 acres, and no individual or corporation shall be allowed to purchase exceeding 1000 acres within ten miles of any producing oil or gas well, the said 1280 acres in undeveloped territory or the 1000 acres within ten miles of any producing oil or gas well, may be in as many different tracts of land or fresh water lakes as the applicant may desire, provided the applicant correctly describes the land or fresh water lakes desired for development purposes, and provided further that the owner of the surface of the land or the owner of said land shall have the right to purchase the mineral rights to all lands owned by him, such preference rights to be for one year as herein provided. The lines of all tracts less than a whole survey shall conform to the exterior of the lines of the survey of which it may be a part, as nearly as practicable. The said clerk shall file and record the application or applications aforesaid and note the same on his register opposite the entry of the proper survey, if surveyed, or in his record book if unsurveyed, giving the time of filing, and the applicant shall file such application in the General Land Office together with one dollar as filing fees within thirty days after the date it was filed by the County Clerk.

Sec. 4. One desiring to purchase petroleum, oil or natural gas in any of the State's islands, salt water lakes, bays, marshes, reefs and fresh water lakes owned by the State, or in any of the unsurveyed public land, shall first file a separate written application for each tract applied for with the County Surveyor of the county in which the area or a part of same may be situated or the county to which said county may be attached for surveying purposes, provided there is a county surveyor. In case there is no County Surveyor, then with the County Clerk, giving a designation of the same sufficient to identify it. The surveyor shall immediately file and record the same, giving time of such filing, and within ninety days thereafter he shall survey and deliver to the applicant the field notes and original application. In case there is no County Surveyor, the County Clerk shall designate some competent surveyor, who shall perform the duties. Said papers, together with one dollar as filing fee, shall be filed in the General Land Office within one hundred days after the application was filed with the County Surveyor, and not thereafter. Locations and surveys under this section shall not exceed 1280 acres in undeveloped territory and not exceeding 1000 acres within ten miles of a producing gas or oil well, except that the owner of the land may buy the mineral rights of all land owned by him. All locations and surveys under this section shall, if practicable, be of regular form, but in every case the line or lines adjacent to other surveys shall conform to the lines of such adjacent surveys. If there are no adjacent surveys the surveyor shall connect such survey with some established survey on the mainland.

Sec. 5. When the Commissioner receives an application or applications and field notes as provided for in the two preceding sections, he shall file the same, and if upon examination said papers are found to be correct and in compliance with this Act, and if the status of the area are applied for is within the provisions thereof, the applicant shall be entitled to the petroleum, oil and natural gas in the lands embraced in the application and field notes, and it shall be the duty of the Commissioner to issue to the applicant a

patent thereto after the applicant shall pay to the Commissioner of the General Land Office ten (\$.10) cents per acre for each acre embraced in the application and field notes; provided, however, that such payment may be made in the following manner, to wit: One-fourth of the same to be in cash and the remainder thereof evidenced by three promissory notes due in one, two and three years from date, and bearing interest at the rate of six (6 per cent) per centum per annum from date until paid, payable to the Commissioner of the General Land Office at Austin, Texas. Thereupon an award shall be issued to the applicant, conveying to him all of the petroleum, oil and natural gas within the designated area, and such award shall by its terms reserve to the State an equal one-eighth of all the petroleum, oil and natural gas produced from said land, provided that where land has heretofore or may hereafter be purchased from the State or any of the funds herein mentioned, the purchaser thereof shall have the prior right to purchase the petroleum, oil and natural gas under the terms of this Act; provided, however, such right is exercised within twelve months from the date this Act takes effect; provided, however, that where the oil and gas is purchased by the owner of the surface the award shall stipulate that the State reserves a one-sixteenth of all the oil and gas in said land. Where oil and gas are found in paying quantities, it shall be the duty of the owner thereof under this Act to deliver the interest of the State in the pipe line free of charge to the credit of the State or the fund to which the same belonged. In event of the failure to pay any notes executed for deferred payment under this Act when the same shall mature, the Commissioner of the General Land Office shall cancel such award and re-sell the petroleum, oil and natural gas in the lands therein described, and all payments theretofore made shall be forfeited to the State. When payment in full shall have been made of the purchase price, a patent shall be issued to the purchaser or assigns with the royalty reservations provided for herein.

Sec. 6. The purchasers of petroleum, oil and natural gas under the provisions of this Act shall at all

times have the right of ingress and egress, with the privilege of laying and maintaining all necessary pipes and pipe lines, and of erecting all necessary pipes and pipe lines, and of erecting all necessary derricks and storage tank, slush tank and of installing on the premises any and all necessary machinery in and about the drilling of wells and storage of the products thereof; provided, however, that the surface owners shall be entitled to the use of the surface of the land and the purchasers of the petroleum, oil and natural gas under the terms of this Act shall pay all damages to growing crops by reason of operations for oil and gas and all other damages.

Sec. 7. All permits to prospect for oil and gas heretofore issued by the Commissioner of the General Land Office under any act of the Legislature are hereby declared null and void, provided actual operations thereunder have not been begun when this Act takes effect. If, for any reason, this section is declared void by the courts, such Act shall not affect any other provision of this bill, and the Legislature does hereby declare that it would have enacted the other provisions of the bill without reference to this section.

Sec. 8. No person, association of persons, corporate or otherwise, shall hold or own at one time, direct or through assignment, nor hold or own a controlling interest in more than two sections of 640 acres each, more or less, of surveyed school land, university, asylum or other public land, nor more than 1280 acres of islands, lakes, bays, marshes, reefs or unsurveyed school, asylum or university or other public land in any undeveloped field, nor more than 1000 acres within ten miles of any producing oil or gas well, except as herein provided as to the right to purchase mineral to all lands owned by such person when this Act takes effect.

Sec. 9. The Commissioner of the General Land Office shall collect and transmit to the State Treasurer all money derived from the development of any minerals or substance named herein and found on the public free school land or other public land, and it shall be credited to the permanent free school fund or other fund to which the land from which such money is derived is set apart. All



money derived from the development of any mineral or substance named herein and found on other than public free school land, university or asylum land, shall be credited to the general fund.

Sec. 10. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 11. The crowded condition of the calendar and the near approach of the close of the present session of the Legislature creates an emergency and imperative public necessity demanding that the rule requiring bills to be read on three several days be suspended and such rule is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 12, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 26, being a resolution to be entitled "A Resolution proposing to amend Article 4, of the Constitution of the State of Texas by adding thereto a new Article denominated Article 22a, to be self enacting, which Article of the Constitution fixes the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer and the Commissioner of the General Land Office; providing for the submission of such proposed amendment to the Constitution to a vote of the people and making an appropriation for the necessary expense therefor,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

BUCHANAN of Bell, Chairman.

By Dean: S. J. R. No. 26.

#### SENATE JOINT RESOLUTION To Be Entitled.

A Resolution proposing to amend Article 4 of the Constitution of the State of Texas by adding thereto a new Article denominated Article 22a, to be self enacting, which Article of the Constitution fixes the salaries of the Attorney General, the Comptroller of Public Accounts

the Secretary of State, the Treasurer and the Commissioner of the General Land Office; providing for the submission of such proposed amendment to the Constitution to a vote of the people and making an appropriation for the necessary expenses therefor.

Be it Resolved by the Legislature of the State of Texas:

Section 1. That Article 4 of the Constitution of the State of Texas be so amended by adding thereto a new article denominated Article 22a:

Article 22a. Until otherwise provided for by law, the following mentioned constitutional officers of this State shall each receive the following stated salaries:

The Attorney General shall receive for his services an annual salary of six thousand dollars; the Comptroller of Public Accounts shall receive for his services an annual salary of four thousand dollars; the Secretary of State shall receive for his services an annual salary of four thousand dollars; the Treasurer shall receive for his services an annual salary of four thousand dollars; and the Commissioner of the General Land Office shall receive for his services an annual salary of four thousand dollars.

This provision of the Constitution be and the same is hereby declared to be self enacting and in full force and effect from and after its adoption by a vote of the people.

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors for the legislature at an election to be held throughout the State of Texas on the first Tuesday after the first Monday in November A. D. 1920, the same being November 2nd A. D. 1920; and the Governor of this State is hereby directed to make the necessary proclamation for said election and to have the same duly published as required by the Constitution and laws of this State. Said election shall be held under and in accordance with the general election laws of this State and the official ballot shall have printed or written thereon in plain letters the following words: "For the amendment to Article 4 of the State Constitution by adding a new section thereto to be known as Section 22a fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer and the Commis-

sioner of the General Land Office," and also "Against the amendment to Article 4 of the State Constitution by adding a new section thereto to be known as Section 22a fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer, and the Commissioner of the General Land Office."

All voters favoring such amendment shall erase by making a mark through the words "Against the amendment to Article 4 of the State Constitution by adding a new section thereto to be known as Section 22a fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer, and the Commissioner of the General Land Office." And all voters opposing such amendment shall erase by making a mark through the words: "For the amendment to Article 4 of the Constitution by adding a new section thereto to be known as Section 22a fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer, and the Commissioner of the General Land Office."

If a majority of the votes cast shall be "for the amendment to Article 4 of the Constitution by adding a new section thereto to be known as Section 22a, fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer, and the Commissioner of the General Land Office," said amendment shall be declared adopted.

If a majority of the votes cast shall be "against the amendment to Article 4 of the Constitution by adding a new section thereto to be known as Section 22a, fixing the salaries of the Attorney General, the Comptroller of Public Accounts, the Secretary of State, the Treasurer, and the Commissioner of the General Land Office," said amendment shall be lost and shall be so declared.

Sec. 3. There is hereby appropriated out of the funds of the State Treasury not otherwise appropriated, the sum of five thousand (\$5,000.00) dollars, or so much thereof as may be necessary to cover the necessary expenses attached to the proclamation and publication of this amendment

and the Governor shall issue the necessary proclamation and cause the same to be duly published.

Committee Room,  
Austin, Texas, March 11, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Public Health, to whom was referred House Bill No. 235, have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal but not in bill form.  
McNEALUS, Chairman.

By Roemer. H. B. No. 235.

#### A BILL

#### To Be Entitled

An Act authorizing the State Board of Medical Examiners of this State and making it their duty, to cancel the license of any licensed practitioner of medicine in this State, when the facts are made known to it, that such licensed practitioner of medicine has been convicted in either a State or Federal court of the crime of the grade of a felony, or one which involved moral turpitude, or procuring or aiding or abetting the procuring of a criminal abortion; repealing all laws in conflict therewith and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State Board of Medical Examiners of this State, be and it is hereby authorized and empowered, and it is made its duty, to immediately cancel the license of any licensed "practitioner of medicine" in this State, when the facts are made known to the Board, that such party has been convicted either in a State or Federal court of the crime of the grade of a felony, or one which involves moral turpitude or procuring or aiding or abetting the procuring of a criminal abortion.

Sec. 2. That all laws, and parts of laws, in conflict with the provisions of this Act be, and the same are, hereby repealed.

Sec. 3. The fact that the State Board of Medical Examiners of this State are limited in their power to cancel licenses of "licensed practitioners of medicine" in this State, who are guilty of violation of the penal laws of this State, creates an

emergency and an imperative public necessity that the constitutional rule requiring a bill to be read on three several days be suspended and said rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 11, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred House Bill No. 251, have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be printed in the Journal but not in bill form.

McNEALUS, Chairman.

By McFarlane.

H. B. No. 251.

#### A BILL

#### To Be Entitled

An Act to require Public Water Supply Companies and others furnishing drinking water for the public to use reasonable diligence to prevent health contamination.

Be it enacted by the Legislature of the State of Texas.

Section 1. That hereafter the authorities of all cities and towns and villages having a population of 5,000 inhabitants or less in this State and all other companies, persons, corporations or receiver, who are supplying drinking water through a water works system to the public, shall before supplying the same to the public use for drinking water, first cause the supply of water to be chemically tested for any contaminated infusion of sand, dirt or filth or dangerous bacteria or disease bearing germs. This test to be made according to the direction of the county or city health officers or by both such health officers.

Sec. 2. It is further enacted that thereafter said water so above supplied shall be subject to such test at any time and the County and City Health officers where such water supply is furnished, shall make such tests at least twice a year and oftener where there is an outbreak of any disease that might be induced through use of impure or unclean water.

Sec. 3. And it shall be the duty of all authorities of any city or town of 5,000 inhabitants or less, or persons, firms or the officers and agents of all incorporated companies, or receivers supplying water for such public use, in cities or towns of 5,000 inhabitants or less to provide proper strainers for all wells and all other sources of supply so that sand and dirt shall not be carried into the water for such public use, and to cause all of the conduit and drain pipes conveying said water to be thoroughly washed out and flushed so as to clean the same at least one time every ninety days, and no water for drinking purposes shall be supplied from any bayou or river, lake or stream unless the same has been subject to filtrations so as to render it clean and free from contaminating filth or sand or disease-bearing germs.

Sec. 4. It shall also be the duty of any such authorities, persons, firms or receivers or their agents, when any such drinking water so furnished is pronounced unfit or infectious, or impregnated with mud or dirt or filth or unclean and dangerous to the public use by the health officers of any such city or county as the case may be, to immediately take steps to purify, clean and sanitize the same.

Sec. 5. In all cases where the authorities of any city or village or any person or firm or any corporation or company, their officer and their receivers, or agents furnishing drinking water to cities or towns of 5,000 inhabitants or less shall fail or refuse to carry out the provisions of this Act and shall furnish to the public use drinking water that is contaminated, impure and unclean, shall be guilty of a misdemeanor and shall be punished on conviction thereof by a fine not less than \$500.00 nor more than \$5000.00, for such offense, and upon conviction of a second offense, its contract franchise charter shall be subject to forfeiture by proceeding to that effect, in an injunction proceeding brought by the State authorities or the District or County Attorney, which shall be heard and disposed of without undue delay as other injunction suits.

Engrossed Riders to House Bill  
No. 251.

Amendment No. 1:

Amend House Bill No. 251 by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That hereafter the authorities of all cities and towns, and villages, having a population of Five Thousand (5000) inhabitants or less, in this State and all other companies, persons, corporations or receivers, who are supplying drinking water through a water works system to the public, shall, before supplying the same to the public use for drinking water, first cause the supply of water be chemically tested for any contaminated infusion of sand, dirt or filth, or dangerous bacteria or disease-bearing germs. This test to be made according to the direction of the county or city health officers, or both such health officers.

Section 2. It is further enacted that thereafter said water as above supplied shall be subject to such test at any time and the County and City Health Officers where such water supply is furnished shall make such tests at least twice a year and oftener where there is an outbreak of any disease that might be induced through use of impure or unclean water.

Sec. 3. And it shall be the duty of all authorities of any City or Town of Five Thousand (5000) inhabitants or less, or persons, firms, or the officers and agents of all incorporated companies, or receivers supplying water for such public use, in cities or towns of Five Thousand (5000) inhabitants or less, to provide proper strainers for all wells and other sources of supply so that sand and dirt shall not be carried into the water for such public use, and to cause all of the conduits and drain pipes conveying said water to be thoroughly washed out and flushed so as to clean the same at least one time every ninety days.

Sec. 4. It shall also be the duty of any such authorities, persons, firms or receivers or their agents, when any such drinking water as furnished is pronounced unfit of infectious or impregnated with sand, or dirt, or filth, or unclean and dangerous to the public use by the Health Officers of any such city or

county as the case may be, to immediately take steps to purify, clean or sanitize the same.

Sec. 5. In all cases where the authorities of any city, or town, or village, or any person, or firm, or corporation, or company, their officers and their receivers, or agents furnishing drinking water to cities or towns of Five Thousand (5000) inhabitants or less, shall fail or refuse to carry out the provisions of this Act, and shall furnish for public use, drinking water that is contaminated, impure and unclean, shall be guilty of a misdemeanor and shall be punished on conviction thereof by a fine in any sum not to exceed \$500.00 for any such offense, and upon any conviction of a second offense, its contract, franchise or charter shall be subject to forfeiture by proceedings to that effect, in an injunction proceeding brought by the State Authorities, or the District or County Attorney, which shall be heard and disposed of without undue delay as other injunction suits.

Adopted as amended, March 8, 1919.

T. B. REESE,

Chief Clerk, House of Representatives.

Amendment No. 2:

Amend House Bill No. 251 by striking out the caption thereof and inserting in lieu thereof the following: to require public water supply companies and others furnishing drinking water for the public to use reasonable diligence, to prevent health contamination.

Adopted, March 8, 1919.

T. B. REESE,

Chief Clerk, House of Representatives.

Amend amendment to House Bill No. 251, Section Two, line 23, by striking out word "time" and insert the word "once".

Adopted, March 8, 1919.

T. B. REESE,

Chief Clerk, House of Representatives.

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to who was referred

H. B. No. 418, being a bill to entitled "An Act to amend Article 1816, Chapter 1, Title 37, Revised Civil Statutes of Texas, 1911; providing that civil suits shall not be commenced nor process issued nor

served on Sunday except in cases of injunction, attachment, garnishment, sequestration or distress proceeding, and declaring an emergency."

Has had said bill under consideration and I am directed to report the same back to the Senate with the recommendation that it do pass and be printed only in the Journal.

DEAN, Chairman.

By Hill of Wheeler. H. B. No. 418.  
et al.

A BILL  
To Be Entitled

An Act to amend Article 1816, Chapter 1, Title 37, Revised Civil Statutes of Texas, 1911; providing that civil suits shall not be commenced nor process issued nor served on Sunday except in cases of injunction, attachment, garnishment, sequestration or distress proceeding, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1816 of the Revised Civil Statutes of the State of Texas, 1911, be and the same is hereby amended so as to hereafter read as follows:

Article 1816. No civil suit shall be commenced nor shall any process be issued or served on Sunday except in cases of injunction, attachment, garnishment, sequestration, or distress proceeding.

Sec. 2. The fact that the law now prohibits commencement of civil suits and issuance of process and service of same on a legal holiday creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be, and the same is, hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 503, A bill to be entitled "An Act authorizing cities of over fifty thousand inhabitants to amend their charters by a majority vote of the qualified voters of said city, so

as to extend their corporate limits to include adjoining and contiguous territory, where the annexed territory does not include any city or town of more than two thousand inhabitants; providing for the abolishment of the incorporation of any such annexed city or town having less than two thousand inhabitants, the abolishing of the offices thereof; providing for the assumption of the outstanding liabilities against the territory annexed; providing how any special funds on hand of such annexed city or town shall be applied; providing for the collection of all claims, debts and taxes due to said annexed territory; repealing all laws in conflict with this Act, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

Johnston, Chairman; Hertzberg, Bailey, Strickland, Carlock.

By Malone.

H. B. No. 503.

A BILL  
To Be Entitled

An Act authorizing cities of over fifty thousand inhabitants to amend their charters by a majority vote of the qualified voters of said city, so as to extend their corporate limits to include adjoining and contiguous territory, where the annexed territory does not include any city or town of more than two thousand inhabitants; providing for the abolishment of the incorporation of any such annexed city or town having less than two thousand inhabitants, the abolishing of the offices thereof; providing for the assumption of the outstanding liabilities against the territory annexed; providing how any special funds on hand of such annexed city or town shall be applied; providing for the collection of all claims, debts and taxes due to said annexed territory; repealing all laws in conflict with this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any city having a population of fifty thousand or over, as shown by the latest United States

census, shall have the power and authority to amend its charter so as to extend its boundary limits by annexing additional territory adjacent and contiguous to such city, where the territory so annexed does not include any incorporated city or town having more than two thousand inhabitants. Provided, that no such territory shall be so annexed which is devoted and used mainly for agricultural purposes, without the consent of the owner or owners thereof.

Sec. 2. The legislative or governing body of any city having a population of fifty thousand or over may, upon its own motion, and shall, upon the petition of at least ten per cent of the qualified voters of said city, as shown by the last preceding general election, submit such proposed amendment to a vote of the qualified voters of such city of fifty thousand or more population, which election shall be held as provided by Chapter 147 of the Acts of the Regular Session of the Thirty-third Legislature.

Sec. 3. In the event such amendment is adopted by a majority vote of those voting at such election, and such annexed territory shall include any incorporated city or town of two thousand inhabitants or less, then, from and after the adoption of such amendment, the incorporation of such city or town of two thousand inhabitants or less shall be abolished and shall cease to exist, and all record books, public property, public buildings, money on hand, credit accounts and other assets of the annexed incorporated city or town shall become the property of said larger city and shall be turned over to the officers thereof, and by such annexation the offices existing in the smaller municipality shall be abolished and the persons holding such offices shall not be entitled to further remuneration or compensation.

All legal outstanding liabilities of such smaller city shall be assumed by the enlarged city, and whenever such annexed city or town shall have on hand any bond funds voted for public improvements and not already appropriated or contracted for, such money shall be kept in a separate special fund and devoted to public improvements in the territory for which such bonds were voted, and

shall not be diverted or used for any other purpose.

Sec. 4. Such annexation, all claims, fines, debts and taxes due or payable to the annexed city or town shall thereupon become due and payable to said larger city and shall be collected by it; provided that in the event taxes for the current year shall have been duly assessed prior to said annexation, then, the amounts so assessed shall remain as the amounts due, and payable from the inhabitants of such annexed city or town for such current year. Provided, that the provisions of this Act shall not apply to any city or town of five thousand and less inhabitants until the qualified voters of said city or town to be taken into a larger city shall have decided by a majority vote, at an election held for the purpose of determining whether the inhabitants of said smaller town or city shall be included within the boundary of any contiguous city of over fifty thousand inhabitants.

Sec. 5. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 6. The fact that there is no provision in the laws of this State for the annexation by cities of fifty thousand inhabitants or more of contiguous territory where the territory so annexed includes an incorporated city or town of two thousand inhabitants or less, constitutes an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and its its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 12, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred H. B. No. 245, has had said bill under consideration and I am directed to report the same back to the Senate with the recommendation that it do pass and me printed only in the Journal.

DEAN, Chairman.

By Taylor and Brown H. B. No. 245.  
of Tarrant.

**A BILL**

**To Be Entitled.**

An Act prescribing that trial judges and jurors, who hold policies in, or who are members of any life insurance company, whether fraternal or otherwise, shall not be disqualified to sit upon the trial of such cases in which such life insurance companies are parties, plaintiff or defendant, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That in any case in which any fraternal benefit society or other life insurance company of any character doing business in this State, is made either a party, plaintiff or defendant, the judge in whose court such case may be pending, shall not be disqualified to try the same, by reason of the fact that such judge is a policy holder in such life insurance company, and provided further, that the fact that any juror who is a policy holder in such insurance company, shall not be disqualified to sit as a juror in the trial of such cases.

Sec. 2. The fact that the trial judges and jurors in the classes mentioned in Section 2 hereof, are so prevalent in the State of Texas, works a hardship in the trial of cases and costs the State of Texas many thousands of Dollars, creates an imperative public necessity, whereby the Constitutional rule providing that bills shall be read on three several days, before being finally passed, should be suspended, and that this Act should be in effect, and take effect, immediately upon its passage.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 417, Being a bill to be entitled, "An Act to prevent theft of motor vehicles; and providing that it shall be unlawful for any person or persons to have in possession or sell or offer to sell, or to use upon public highways, any motor vehicle from which the engine number has been removed or obliterated, etc.,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

SUITER, Chairman.

"Engrossed Rider."

Amend House Bill No. 417, page 2 by adding thereto between Section 3 and 4 the following:

"Section 3a. It shall be unlawful for any person acting for himself or any one else, to offer for sale or trade any second-hand motor vehicle in this State without then and there, having in his actual physical possession the tax collector's receipt for the license fee issued for the year that said motor vehicle is offered for sale or trade.

Section 3b. It shall be unlawful to sell or trade any second-hand motor vehicle in this State without transferring by indorsement of the name of the person to whom said license fee receipt was issued by the tax collector and by physical delivery of the tax collector's receipt for license fee for the year that the said sale or trade is made.

Section 3c. It shall be unlawful for any person acting for himself or another to buy or trade for, any second-handed motor vehicle in this State without demanding and receiving the tax collector's receipt for the license fee issued for said motor vehicle for the year that said motor vehicle is bought or traded for.

Any person violating the provisions of Sections 3a, 3b or 3c shall be guilty of a misdemeanor and upon conviction shall be fined in any sum, not less than ten dollars (\$10) or more than two thousand dollars (\$2000), or by confinement in the county jail for any term less than one year, or both such fine and imprisonment, and all moneys collected for such fines shall be placed in the Road and Bridge Fund of the county in which the violation occurs and the penalty is recovered.

WILLIAMS of McLennan.

March 8, 1919, adopted.

T. B. REESE,

Chief Clerk, House of Representatives.

Amend the caption of H. B. No. 417, page 1, line 15, after the word "Department" by adding the following: "and providing that no person shall offer for sale or trade any second-hand motor vehicle without then

and there having in his possession the receipt of the tax collector for the year said vehicle is offered for sale or trade, and providing that no person acting for himself or another shall sell any second-handed motor vehicle without transferring by endorsement and physical delivery the tax assessor's license fee receipt for the year said vehicle is sold and providing that no person shall buy or trade for any second-handed motor vehicle without demanding and receiving from the seller the license fee receipt issued by the tax collector for said vehicle is bought or traded for, and providing a penalty for the violation thereof."

WILLIAMS of McLellan.

March 8, 1919, adopted.

T. B. REESE,

Chief Clerk, House of Representatives.

By Tillotson, et al. H. B. No. 417.

#### A BILL

To be entitled.

An Act to prevent theft of motor vehicles; and providing that it shall be unlawful for any person or persons to have in possession or sell or offer to sell, or to use upon public highways, any motor vehicle from which the engine number has been removed or obliterated, and that such person or persons shall make applications to the Highway Commission for an engine number which shall be stamped on the engine of such motor vehicle; providing that a register of such engine numbers assigned shall be preserved in the Highway Department; providing that tax collectors shall not knowingly register any motor vehicle without an engine number, and providing a penalty for non-compliance; providing that it shall be unlawful to transfer any second-hand motor vehicle without the purchaser securing from the seller a bill of sale, which shall be the official application for transfer of license; providing certain duties for persons owning and operating garages or motor vehicle repair shops; providing certain duties for persons engaged in the business of buying second-hand motor vehicles or parts thereof; providing the manner in which any owner of a motor vehicle which has been so injured as to require the use of a new cylinder block may replace such block; and providing

penalties for all persons who fail to comply with the provisions of the Act.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the taking effect of this Act it shall be unlawful for any person, or persons in this State to have or retain in his or their possession, or sell or offer to sell any motor vehicle from which the engine number has been removed or obliterated. Every such owner of a motor vehicle from which the engine number has been removed, erased or destroyed in any manner, before using the same upon the public highways of this State, or selling or offering for sale any such motor vehicle, shall make application to the Highway Commission for an engine number, and the number assigned by the Highway Commission shall be stamped with a steel die on the engine of such motor vehicle.

Sec. 2. The State Highway Commission shall cause to be kept in the State Highway Department a separate register in which shall be recorded the engine numbers assigned to owners of motor vehicles, from which the original engine number has been removed, erased or destroyed in any manner, and before assigning any such number the commission shall require the filing of an application for same, attested by oath of the applicant, that he is the owner of such motor vehicle, and such record shall disclose the name and address of the owner; the trade name and model of the motor vehicle; the year manufactured, and the engine number assigned, and shall be authorized to collect a registration fee of \$2.00 for such services.

Sec. 3. Any person who shall make an application to the county tax collector for the registration of any motor vehicle from which the original number has been removed, erased, or destroyed in any manner until it bears the new engine number designated by the State Highway Department under the provisions of Section 2 of this Act, shall be guilty of a misdemeanor and upon conviction shall be subject to fine of not less than \$50.00, and not more than \$100.00; and it shall be the duty of any person who has applied to and received from the State Highway Department a new engine



number as herein provided, to present the receipt received for the registration of such new engine number from the department to the county tax collector when applying for the registration of such motor vehicle under the provisions of the law and failure to so present such receipt to the county tax collector shall subject the owner of said motor vehicle to a fine of not less than \$10.00, nor more than \$50.00. Any tax collector who shall knowingly accept an application for the registration of a motor vehicle from which the original engine number has been removed, erased or destroyed in any manner, and which does not have on it the number designated by the Highway Department, shall be subject to a fine in a sum not less than \$10.00, and not more than \$50.00.

Sec. 4. It shall be unlawful for any person, whether acting for himself or as an employe or agent to sell, trade, or otherwise transfer any second-hand motor vehicle without delivering to the purchaser a bill of sale in duplicate, the form of which is prescribed in this Act, one copy of which shall be retained by the transferee as evidence of title to ownership, and the other copy of which shall be filed by the transferee with the county tax collector as an application for transfer of license together with the lawful transfer fee of \$1.00.

The following form of transfer shall be subscribed before a notary public:

**BILL OF SALE AND APPLICATION  
FOR TRANSFER.**

STATE OF TEXAS, }  
County of ..... }

Know all men by these presents that the ownership of the following described motor vehicle is hereby transferred by the undersigned to....  
.....for and in consideration of.....and other valuable consideration.

Seal No.....State License No.....Name and Model and Year made.....Engine No.....Horse Power (A. L. A. M.).....Transferee's name in full.....Transferee's correct address in full.....

Before me, the undersigned authority, personally appeared the vender of the vehicle described above, and, being duly sworn, deposes and upon oath

states that the vehicle described is hereby transferred to the transferee named above

.....  
Vender.

Subscribed and sworn to before me this...day of....., 191...

Sec. 5. All persons in this State owning and operating a garage, or motor vehicle repair shop, shall be required, in every case in which repairs on motor vehicles are made involving the exchange or installation of motor vehicle parts in any motor vehicle repaired in such garage or repair shop, to maintain a record in a substantially bound book of all such repairs; except where such repairs are made for one whose name and permanent place of residence is known to the person or persons owning and operating such garage or repair shop; and in such record there shall be entered the name of the person for whom the work is done and his residence; a description of the parts installed; the trade name of the motor vehicle; the engine number; the number of cylinders of the motor vehicle, and the model.

Sec. 6. All persons engaged in any business in which the purchase of second-hand motor vehicles, or of parts of motor vehicles, constitutes the whole or part of their business, shall be required to maintain a record in a substantially bound book of all such second-hand motor vehicles or any part or parts of such motor vehicles, that may be purchased, which record in the case of the purchase of a second-hand motor vehicle, shall contain the name and address of the person from whom such motor vehicle was purchased; the trade name of the motor vehicle; the engine number; the number of cylinders, and the model; and in the case of the purchase of any part or parts of a motor vehicle, the record to be kept shall show the name and address of the person from whom purchased, the trade name of the motor vehicle, and such other description as may be ascertainable and of value in identifying the character of motor vehicle from which taken.

Sec. 7. Any owner of a motor vehicle registered in the State Highway Department, as provided by law, and of which motor vehicle the cylinder block has been so damaged as to make

necessary the installation of a new cylinder block, shall cause the original engine number of the motor vehicle to be stamped with a steel die on the new cylinder block, and the garage or repair shop so installing the new cylinder block and impressing the number thereon, as herein provided, shall enter a record in a substantially bound book showing the name of the owner of such motor vehicle and his address, the engine number, and the registration number of the motor vehicle.

Sec. 8. All records required to be kept by the provisions of this Act shall be preserved for a period of one year after the date recorded and shall be open for the inspection of the public at all reasonable hours.

Sec. 9. Anyone who shall fail to comply with any of the requirements of this Act as prescribed in Sections 1, 2, 3, 4, 7, and 8, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten (\$10.00) dollars, nor more than One Hundred (\$100.00) dollars, and all such fines when recovered, shall be placed in the road and bridge fund of the county in which the violation occurs and the penalty is recovered.

Committee Room,

Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred

House Concurrent Resolution No. 34, a concurrent resolution on proposed constitution of League of Nations,

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

HERTZBERG, Chairman.

Amend the resolution by striking out of the fourth paragraph the word "many" and substituting the word "some."

VAUGHN.

Adopted, March 8, 1919.

T. B. REESE,

Chief Clerk, House of Representatives.

By John Davis. H. C. R. No. 34.

Concurrent Resolution on  
Proposed

Constitution of League of Nations.

We, the House of Representatives, the Senate concurring, reaffirm our

allegiance to the principles proclaimed by our forefathers and established in the United States: That the several localities in the United States should control in their respective local affairs; that the several States of this Union should govern in matters relating to their respective State affairs; that the United States Government should have dominion over questions concerning National affairs; and that a League of Nations, through proper agencies, should exercise authority over and be supreme in problems affecting the whole world; and

We declare that, whereas, in times past wars were ostensibly the results of conflicting claims and dominions of dynasties and religions, and were localized in their operation and effect, and that now and for the future wars between and among Nations will be world-wide in scope, and the subject-matter of controversies resulting in wars will be the products of mine, factory, pasture, field and forest, and the free and unhampered distribution thereof among the peoples of the world; and believing that such problems can be properly adjusted only by a sympathetic co-operation and co-ordination of the civilized Nations of the earth; therefore, be it

Resolved, That we do declare ourselves in favor of the League of Nations, and in favor of the constitution of the League of Nations, in words and principles, as proclaimed by our President, Woodrow Wilson, before the assembled delegates to the World Peace Conference in Paris; and

We do this with the knowledge that there are now among us some who will strenuously oppose the ratification of the constitution of the League of Nations by the same and similar arguments used by those who opposed the adoption of the Constitution of the United States after it was submitted to the thirteen colonies for approval; but because said arguments are provincial in principle and narrow in vision, we express our belief that the American people will ultimately reach conclusions affirming and approving the constitution of the League of Nations as now proposed and submitted.

And we suggest that the Secretary of State of the State of Texas

transmit to our Senators at Washington and to the President of the United States, each a copy of this resolution.

Committee Room,  
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 623, A bill to be entitled "An Act to appropriate the sum of fifteen thousand (\$15,000) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses of the regular session of the Thirty-sixth Legislature, providing method of payment, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed in bill form, but be printed in the Journal.

WESTBROOK, Chairman.

By Davis of Dallas      H. B. No. 623.  
and Bedell.

#### A BILL

#### To Be Entitled

An Act to appropriate the sum of fifteen thousand (\$15,000) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses of the regular session of the Thirty-sixth Legislature; providing method of payment, and declaring an emergency Be it enacted by the Legislature of the State of Texas:

Section 1. The sum of fifteen thousand (\$15,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses of the regular session of the Thirty-sixth Legislature.

Sec. 2. The approval of the chairman of the Committee on Contingent Expenses of the Senate, approved by the President of the Senate, or by chairman of the Committee on Contingent Expenses of the House of Representatives, approved by the Speaker of the House, as the case may be, shall be sufficient authority

for the Comptroller to issue warrants upon the Treasurer for the payment of accounts drawn upon said fund.

Sec. 3. The fact that the funds heretofore appropriated for this purpose are inadequate to pay the contingent expenses of the regular session of the Thirty-sixth Legislature, and the near approach of the close of the session, creates an emergency and an imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read on three several days, and said rule is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee, Room,  
Austin, Texas, March 13, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 619, A bill to be entitled "An Act to make certain emergency appropriations out of the General Revenues of this State, not otherwise appropriated for the several institutions and departments of the State Government for the balance of the fiscal year ending August 31st, 1919, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass, and be not printed in bill form, but printed in the Journal, with the following committee amendments:

Strike out all items under the heading of "Department of Agriculture."

Strike out all items under the heading of "Texas State Railroad."

Strike out all items and figures under the heading of "Girl's Training School" and insert in lieu thereof "Support and maintenance, \$17,500.00."

Strike out the figures \$50,000.00" under the head of "Southwestern Insane Asylum" and insert in lieu thereof the figures "\$85,000.00."

Strike out the words and figures "Water, light and power, \$750.00" under the heading of "The Texas School for the Deaf" and insert in lieu thereof: "To equip printing department with modern machinery and supplies essential to proper mechanical instructions \$10,000.00."

And "Water, light and power, \$2,000.00."

Strike out all items and figures under the heading of "Comptroller's Department."

Insert an item as follows:

"State Colony for Feeble-Minded.

Additional salary of Storekeeper and Accountant from April 1, 1919 to August 31, 1919, at the rate of \$16.66 per month....\$ 83.30."

WESTBROOK, Chairman.

Engrossed Rider to H. B. No. 619.

Amend House Bill No. 619 by striking out "\$2500.00" under the portion of the bill pertaining to the Negro Insane Asylum at Rusk in the item "To repair kitchen and bakery" and insert in lieu thereof "\$2,840.00." Also by striking out the item "For 8,000 feet tile \$6,600.00."

March 8, 1919, adopted.

T. B. REESE,

Chief Clerk, House of Representatives.

By Thomas et al. H. B. No. 619.

#### A BILL

To Be Entitled.

An Act to make certain emergency appropriations out of the General Revenues of this State, not otherwise appropriated for the several institutions and departments of the State Government, for the balance of the fiscal year ending August 31, 1919, and declaring an emergency. Be it Enacted by the Legislature of the State of Texas:

Section 1. That the following sums be, and the same are hereby appropriated out of the General revenues to cover emergencies for the purposes herein named for the several institutions and departments of the State Government for the balance of the fiscal year ending August 31st, 1919:

Department of Agriculture.

For inspection and eradication of the dangerous diseases and pests now threatening the destruction of the fruit industry of the State, providing that no part of this amount shall be paid out for salaries or traveling expenses outside of the State nor for purchase of automobiles ..... 4,000.00

For shades for windows for first floor of State Office Building, occupied by Department of Agriculture. ....\$ 200.00

Confederate Woman's Home.

For support and maintenance ..... 10,000.00

Salary of stenographer and bookkeeper..... 400.00

For the purchase of one automobile ..... 1,200.00

To pay for room rent for employees, or so much thereof as may be necessary ..... 300.00

Texas State Railroad.

For 225 pieces 25 feet creosoted pine, untreated oak, or untreated hewn cypress piling, 5625 lineal feet at \$1.25 per lineal foot including cost of driving ..... 7,031.25

56 caps 12x12x12, being 8064 sq. ft. at \$52.00 per M., 165 stringers 7x14x37, being 37,785 sq. ft. at \$58.00 per M. 87 guard rails 6x8x18, being 6,264 sq. ft. at \$48.00 per M., 770 bridge ties, 6x8x9, being 27,720 sq. ft. at \$48.00 per M..... 4,242.09

For Labor ..... 3,752.15

15,000 creosoted ties, or equivalent, placed in track over entire line as needed..... 17,250.00

Electric alarms for grade crossing at Elkhart road crossing and Sycamore street, Palestine, Texas ..... 1,000.00

Deaf, Dumb and Blind Institute for Colored Youths.

For support and maintenance ..... 3,000.00

Dry goods and clothing.. 500.00

Stationery and printing.. 50.00

Furniture ..... 100.00

For two 100 h. p. suspended tabular boilers and installation of same ..... 12,366.00

State Lunatic Asylum, Austin, Texas.

For support and maintenance ..... 75,000.00

Dry goods and clothing. \$ 25,000.00  
One automobile. . . . . 1,200.00

State Epileptic Colony, Abilene,  
Texas.

For 100 mattresses. . . . . 585.00  
Dry goods and clothing. . . 1,500.00  
Support and maintenance . . 7,500.00

Girls' Training School.

Light . . . . . 1,500.00  
Fuel . . . . . 1,500.00  
Feed . . . . . 1,200.00  
Ice . . . . . 300.00  
For perishables. . . . . 800.00  
Salt, meat, bacon and  
lard . . . . . 800.00  
Dry goods . . . . . 1,000.00  
Groceries . . . . . 2,000.00  
Miscellaneous . . . . . 800.00  
Extra labor and lumber. . . 500.00  
Discharge and transporta-  
tion . . . . . 300.00

North Texas Hospital for Insane.  
Support and maintenance 40,000.00  
Dry goods and clothing. . . 7,500.00

State Tuberculosis Sanatorium.

Furniture for two dor-  
mitories . . . . . \$ 22,000.00

John Tarleton Agricultural  
College.

Central heating, power  
and light plant, to be  
complete . . . . . \$ 20,000.00  
Complete equipment for  
above . . . . . 20,000.00  
Deep well and water-  
works . . . . . 6,900.00

Texas School for the Blind.  
Support and mainte-  
nance . . . . . \$ 7,500.00

One 40x44 vento suction  
type drying tumbles,  
motor driven, 3-phase,  
A-current . . . . . 1,873.50

One No. 38 Universal  
press, without steam-  
ing device . . . . . 275.00  
Three ironing boards. . . . 75.00

For hauling and installa-  
tion . . . . . 150.00

One laundress at \$25.00  
per month . . . . . 137.50

One laundress at \$22.50  
per month . . . . . 123.75

Extra laundry supplies. . . 100.00

The above appropriations are made  
upon condition that the Texas School  
for the Blind shall do the laundry

work for the Confederate Woman's  
Home during the two years next fol-  
lowing after the time this Act takes  
effect. The said School for the  
Blind shall do said laundry work  
during the time stated, and the Con-  
federate Woman's Home shall de-  
liver the laundry at said School and  
call for the same.

State Juvenile Training School.

For Support and main-  
tenance . . . . . \$ 35,000.00

Southwestern Insane Asylum.

For support and main-  
tenance . . . . . \$ 50,000.00  
Dry goods and clothing. . . 6,000.00

Prairie View State Normal In-  
dustrial College.

Steam plant mainte-  
nance . . . . . \$ 15,000.00

Equipment for new agri-  
cultural building . . . . 4,000.00

Agricultural and Mechanical  
College.

For steam plant main-  
tenance . . . . . \$ 15,000.00

For two new wells, com-  
plete, with connecting  
air and water lines to  
present system . . . . . 6,000.00

To supplement the pres-  
ent appropriation of  
sixty thousand dollars  
for physics building, as  
per actual estimate. . . 36,762.00

West Texas State Normal College.

For general expenses, in-  
cluding fuel, light,  
heat, power, printing,  
postage, stationery, ex-  
tra labor and miscel-  
laneous supplies . . . . 2,487.54

Texas School for the Deaf.

For water, light and  
power . . . . . 750.00

Game, Fish and Oyster Com-  
mission.

For purchasing of auto-  
mobiles and repairs,  
and permission to ex-  
change old ones for  
new ones . . . . . \$ 1,500.00

For purchasing of boats  
and repairs, and per-  
mission to exchange  
old ones for new ones . . 1,500.00

For office rent, traveling and other expenses of the Commissioner, provided none of this shall be spent in traveling outside of the State of Texas.....\$	500.00	To purchase six mules...\$	1,200.00
For general repairs at State Fish Hatchery at Dallas, and for purchase of wagon and harness and for converting old Ford into truck .....	1,000.00	To buy milk cows.....	2,500.00
Industrial Accident Board.		To buy chickens.....	200.00
For postage .....	500.00	For 8000 feet of tile.....	6,600.00
Treasury Department.		For laundry machinery.....	14,380.00
Salary of one bond clerk for five months, beginning April 1, 1919, at \$150.00 per month...\$	750.00	To repair kitchen and bakery.....	2,500.00
State Office Building.		Transportation of patients..	5,700.00
To complete construction of the State Office Building .....	946.16	To purchase twelve hundred beds. ....	3,876.00
Judiciary.		To purchase twelve hundred pillows.....	540.00
To pay fees of County Judges, County Attorneys, Justices of the Peace, Sheriffs and Constables in examining trials for the balance of the present fiscal year .....	20,000.00	To purchase bed ticks quilts, blankets, sheets, vests, and pants.....	20,000.00
Comptroller's Department.		Miscellaneous dry goods....	220.00
Postage and express....\$	3,000.00	To purchase 200 rubber sheets at \$3.84 each.....	768.00
For salaries of three revenue collectors for five and one-half months at \$166.66 each.....	2,749.89	To pay Superintendent's salary and expenses and per diem and expenses of Board of Managers or Trustees.....	800.00
Traveling expenses of three revenue collectors for five and one-half months, or so much thereof as may be necessary; provided none of this shall be spent in traveling outside of the State..	2,250.00	Salary of head farmer for two months.....	120.00
Negro Insane Asylum, Rusk.		Salary of four farm hands at \$35.00 per month, each for two months.....	280.00
To be available to April 30, 1919, as follows:		Salary of one carpenter for two months.....	140.00
To purchase necessary equipment for negro insane asylum at Rusk.....\$	22,342.63	One assistant carpenter for two months .....	120.00
For gasoline engine and pump for standpipe and water filter for drinking purposes. ....	2,595.00	One painter for two months	120.00
		One gardener for two months.....	100.00
		To buy one motor truck....	858.75
		Negro Insane Asylum, Rusk.	
		To be available from May 1st, to August 31st 1919, inclusive:	
		Salary of Superintendent	666.66
		Salary of 1st. Assistant Superintendent .....	600.00
		Salary of 2nd. Assistant Superintendent .....	500.00
		Salary of bookkeeper and accountant .....	400.00
		Salary of stenographer.	240.00
		Salary of druggist .....	280.00
		Salary of Matron .....	240.00
		Salary of Supervisor....	240.00
		Salary of Night Supervisor .....	200.00
		Salary of Supervisoress.	200.00
		Salary of Night Supervisoress .....	200.00
		Salary of Chaplain.....	100.00
		Salary of Outside Supervisor and Head Farmer	240.00
		Salary of Chief Engineer	500.00
		Salary of First Assistant Engineer and Electrician .....	280.00

Salary of Second Assistant Engineer and Plumber .....	\$ 240.00	Salary of head seamstress \$	140.00
Salary of Third Assistant Engineer .....	240.00	Salary of four seamstresses, not to exceed \$35.00 per month each	480.00
Salary of two Firemen at \$50.00 per month each	400.00	For support and maintenance not otherwise provided for herein, including mileage and per diem of Board of Managers or Trustees; provided none of this amount shall be used for the purchase of automobiles or for salaries .....	38,335.00
Salary of one mattress maker .....	160.00	Dry goods and clothing.	4,000.00
Salary of one ice man...	120.00	Furniture and beds.....	333.33
Salary of one carpenter.	280.00	Transportation of patients and attendants accompanying patients	200.00
Salary of painter and park man .....	200.00	Literature and amusements .....	200.00
Salary of blacksmith...	200.00	Trees and seeds .....	166.00
Salary of gardener.....	200.00	Farm machinery and tools .....	100.00
Salary of plasterer and concrete workman...	200.00	Engineer and carpenter tools .....	100.00
Salary of butcher.....	160.00	Laundry machinery and repairs .....	83.00
Salary of tailor.....	200.00	Bridges, cluverts and grounds .....	66.00
Salary of shoemaker....	160.00	Wagons, hacks and harness .....	66.00
Salary of head barber...	100.00	Dental work .....	83.00
Salary of second barber.	100.00	Salary of poultryman and general utility man .....	160.00
Salary of dairyman....	160.00	Provided all officers and employees shall receive board and laundry at institution.	
Salary of assistant dairyman .....	120.00	Total .....	\$670,906.22
Salary of four trained nurses, not exceeding \$45.00 per month each	640.00		
Salary of fifty day attendants, not to exceed \$35.00 per month each	6,000.00		
Salary of five day attendants for hospital, not to exceed \$35.00 per month each.....	600.00		
Salary of five dining room girls at \$25.00 per month each .....	500.00		
Salary of sixteen night attendants, not to exceed \$40.00 per month each .....	2,240.00		
Salary of four farm hands at \$35.00 per month each .....	560.00		
Salary of one scavenger and rag man .....	120.00		
Salary of one outside watchman .....	200.00		
Salary of one chief cook	240.00		
Salary of first assistant cook .....	160.00		
Salary of four assistant cooks at \$30.00 per month each .....	480.00		
Salary of one baker....	240.00		
Salary of one assistant baker .....	120.00		
Salary of head laundryman .....	240.00		
Salary of eight laundresses, not to exceed \$30.00 per month each	800.00		

Sec. 2. There being no funds available out of which to pay the above claims, and owing to the high price of all commodities there will be deficiencies in many of the institutions and departments if this emergency appropriation is not made, and owing to the near approach of the adjournment date of this Legislature and the crowded condition of the calendar creates an emergency and an imperative public necessity exists which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each house, and that this Act take effect and be in force from and after its passage, and it is so enacted.